CALIFORNIA ★ POLITICAL
REVIEW
MARCH/APRIL 2004 • VOLUME 15 • NUMBER 2 • $3.50

Blackouts ... again?
Larry D. Hamlin & Fereidon P. Sioshansi

The Gipper and the Snail
Peter Hannaford

The Top 73 Reasons California's budgets don't Balance

48 Assembly Democrats; 25 more in the Senate

www.cppf.us

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Read Capitol Watch ...
Every Friday

CPR's timely, quick-reading weekly edition
e-mailed directly to you

Included in every *California Political Review* subscription, Capitol Watch — the perfect *CPR* companion — appears first-thing Fridays, covering events up to the night before. Never more than one page, *CW* is always a quick read, but packed with information. As one busy executive said: "I pick up *Capitol Watch* with my morning coffee and, by the time I reach my desk, I've read it."

New subscriber special: a full year of *CPR & CW*

12 months of Capitol Watch and **six issues** of *California Political Review*

Just $14.95!

3 ways to order: **1)** Visit our website: **www.cppf.us** or **2)** Call: **1-800-887-7676** or **3)** Mail this form to the address below

Name _____ Address _____ City _____

State _____ Zip _____ E-Mail Address (**REQUIRED to receive Capitol Watch**): _____

Check enclosed (payable to California Public Policy Foundation): ___ Credit Card: MC ___ Visa ___ Exp. Date _____

Credit Card # _____ Signature _____

California Political Review, P.O. Box 931 Camarillo, California 93011-0931, *www.cppf.us*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CALIFORNIA★POLITICAL
REVIEW

MARCH / APRIL 2004 • VOLUME 15 • NUMBER 2

FEATURES

The top 73 reasons state budgets don't balance 16
The state's fiscal crisis is less about vital state services strapped for cash in lean economic times than a simple matter of politics: ideologues in the Legislature opposed to enacting solutions.
by John Kurzweil, James Brulte, Michael Genest, Ray Haynes, Chuck Poochigian, William Saracino

Blackouts .... again? By Larry D. Hamlin & Fereidon P. Sioshansi 12
Plant closures and no new construction threaten another power crisis.

Revitalizing CRA By G. Rick Marshall 13
How to re-build conservative grass-roots effectiveness.

The Gipper and the Snail By Peter Hannaford 15
Get out of the rat race; go at a snail's pace.

Is marriage anything? 22
'Live and let live' now means forgetting the meaning of words and jettisoning any notion or institution or law that won't conform to the dictates of the herd.
For better or for worse," by Mary Ann Glendon; "Everyone gets in line for a marriage license," by Doug Clark; "Pragmatic compromise," by Scott Lively; and "The issue is family," by John Kurzweil.

DEPARTMENTS

Correspondence 2
Sacramento Spectator 3
The Law By Harold Johnson 4
The Front Line 5
Facts on Gun Control By Sam Paredes 6
Those in power over us By M. David Stirling 7
Easy to scare-o By Joy Skilmer 8
The Working Press By George Neumayr 9

ARTS & CULTURE

Criticus By G.B. Tennyson 27
The Language of Nice – and N.I.C.E. The new self-censorship; the new Tower of Babel.
Books 32
by John Kurzweil: William E. Simon Sr.'s *A Time for Reflection;*
by Carl Olson: Hal W. Bochin's *Hiram Johnson.*

A PUBLICATION OF THE CALIFORNIA PUBLIC POLICY FOUNDATION

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CALIFORNIA★POLITICAL
REVIEW

A PUBLICATION OF THE
CALIFORNIA PUBLIC POLICY FOUNDATION

JOHN KURZWEIL
EDITOR & PUBLISHER

CONTRIBUTING EDITORS
DAN BRENNAN
LEON MCKINNEY • *NATIONAL CORRESPONDENT*
M. DAVID STIRLING • *BUREAUCRACY WATCH*
SAM PAREDES • *SECOND AMENDMENT CORRESPONDENT*
GEORGE NEUMAYR • *THE WORKING PRESS*
RAY HAYNES • *THE FRONT LINE*
G.B. TENNYSON • *ARTS & CULTURE*

GENE FOLEY • *BUSINESS MANAGER*
PAUL MCCAULEY • *BUSINESS SERVICES*
SHAWN STEEL • *LEGAL ADVISOR*

EDITORIAL BOARD
JAMES BEMIS, DANIEL J. GRIMM
PETER HANNAFORD, HAROLD JOHNSON
MANUEL S. KLAUSNER, JOHN KURZWEIL
GEORGE NEUMAYR, WILLIAM RUSHER
WILLIAM E. SARACINO, ANDREW ZEPEDA

California Political Review (ISSN 1075-3079) is published bimonthly by the California Public Policy Foundation. Send address changes, manuscripts, and Correspondence to: Editor, *California Political Review*, Post Office Box 931, Camarillo, CA 93011-0931. Correspondence may be condensed due to space limitations. Unsolicited manuscripts should be accompanied by a stamped, self-addressed envelope. Signed articles express their authors' opinions and do not necessarily reflect the views of the California Public Policy Foundation which does not endorse or oppose candidates or intervene in any candidate election campaign. Unsigned editorials express the editors' opinions and not necessarily the views of the California Public Policy Foundation. Rates: $19.95 yearly (six issues). Outside U.S. add $6/year surface, $20 for airmail. *California Political Review* is copyright © 2004 by the California Public Policy Foundation.

California Political Review (ISSN 1075-3079) is published bimonthly for $19.95 per year by the California Public Policy Foundation, 4656 Saloma Avenue, Sherman Oaks, CA 91403. Periodical Postage Paid at Van Nuys, CA, and additional mailing offices. POSTMASTER: Send address changes to *California Political Review*, P.O. Box 931, Camarillo, CA 93011-0931.

CORRESPONDENCE

Frumkin on Reagan

Si Frumkin's "The last time I met Reagan" (*CPR*, Jan./Feb.) very nearly moved me to tears. It's about damned time someone wrote something that comes close to recognizing just how important Mr. Reagan was, and is, to America. And, as Mr. Zaslavsky so rivetingly noted, to the world.

Steve Williams, opinion editor
Victorville *Daily Press*

Great article. I feel the same way about Reagan. One of my most cherished possessions is a letter from him during his governorship.

Allen K. Ream
Woodside

Excellent article; moving.

Mark Isler
Los Angeles

Wide Open Town

I am happy to see John Kurzweil ("Wide Open Town," *CPR*, Jan./Feb.) is enjoying Republicans' chance to influence government where before we had no chance at all.

I also found William E. Saracino's "New Day for California Education" interesting, reflecting on conservatives' instinctive wincing at [former Los Angeles Mayor Richard] Riordan's appointment and subsequent recollection that Riordan was effective in L.A. on education reform.

How timely it might be now if conservatives started to act more and observe less. Might it be time for an initiative dumping sex education in its old and new forms in light of the desperate need to cut education costs. Now that the people are incensed over Gavin Newsom's latest hijinx and paying attention at last to more than the slim glimpse of the goings-on in Sacramento that the media offers them, mightened it just be time to offer them something real and tangible in the area of education reform that might benefit all of those families we all love?

Last comment: I read George Tennyson's "Advance Australia Fair" (*CPR*, January/February) to see what might be said about a country I too have visited. While it was interesting, well written and amusing, I think your editorial board would do your magazine a service if you reined Mr. Tennyson in just a bit. Connecting the rightwing of our dear Party to racial preferences of this sort seems short-sighted and ill-advised. Such conversation doesn't serve us well in the political arena.

Kathie Cummins
Santa Cruz

G. B. Tennyson responds:

"Rein in" Criticus?! I wish I could believe such was said in jest, but I rather suspect that we are hearing from a rightwing Mrs. Grundy. By happy accident, or possibly by deeper design of the same powers that took care of the N.I.C.E., the Criticus column in this very issue [page 27] constitutes a reply. It was completed before I even saw the letter to the editor. Read it and repent.

John Kurzweil responds:

Taking Ms. Cummins' last comment first — "reining in" Mr. Tennyson — the point of an *opinion* journal is to provide a platform for honest *opinions* on timely, important topics. If Ms. Cummins

(Please turn to page 11)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SACRAMENTO SPECTATOR

Primary post-mortem

This time to tote up the Primary's winners and losers, and topping everyone's list of winners is the Austrian Oak, now Sacramento's 800-pound gorilla, Governor Schwarzenegger. The big Prop.s 57 and 58 wins showed he has connected with average voters. He and his handlers know this, and just as important, the Democrats now know it too. The one legislative primary he endorsed in — the John Campbell/Ken Maddox Orange County state Senate race — went from horse race to landslide win for Campbell, the governor's choice.

The next big winner, therefore, will be California business. Any idea Democrats had of blocking worker's compensation reform flew out the window primary election night. To put it mildly, the governor scares the Democrats to death right now. The last thing they want is a Schwarzenegger-sponsored worker's comp initiative on the same November ballot where they will be running to keep their seats and their majority. They will sit down immediately and cut a deal to avoid that. They may even have done so by the time you read this.

Politics aside, fixing worker's comp is essential to the state's economic recovery. But the governor's giant shadow will cover virtually any issue he wants it to, intimidating the Democrats. Doesn't that sentence have a nice ring to it?

The big losers are the Sacramento spending lobbies. Proposition 56's pitiful showing (the measure would have made budgets and tax increase easier to pass) illustrates just how out of step with California they really are. Their whiny rhetoric will still assail anything resembling spending restraint,

but they know spending *increases*, at least, have no chance this year. As the Romans used to say: *Vox populi — vox Dei.*

Also on the losers list is new Assembly Speaker Fabian Nunez. Of the many candidates he supported in contested primaries, 10 lost. This doesn't portend a challenge to his leadership, but will certainly embolden his opponents, and make for a fractious Democrat caucus. Meantime the aforementioned governor will be stumping the state for GOP assembly candidates, making them another potential winner from the primary.

The trial lawyers had a mixed bag of results from the primary, winning with Tom Umberg in Orange county but losing a more important race (for them), involving one of their icons — John Carcione (son of Joe, of "Green Grocer" fame) — in the Bay Area. The prison guards union (CCPOA) won every race they really wanted to. So despite the bad press they have received, and despite a Gray Davis-signed contract that clearly gouges California taxpayers, their Midas touch with the voters appears unaffected.

Last — in so many ways — comes that odd breed of animal known as moderate Republican, and happily they are on the losers list. Their quest to make the GOP indistinguishable from the Democrats featured two races: Mary Ose in the 3rd congressional district and Cristi Cristich in the 70th assembly district. The Orange County-based "New Majority" PAC poured more than $400,000 into Cristich, only to see her garner all of 26 percent of the vote, more then 20 points behind the winner, conservative Chuck DeVore. The national version of "New Majority," the Mainstreet Partnership, spent still un-totaled oodles of cash on behalf of Ose. She finished a distant third. Seems Republican Primary voters favor candidates who actually believe in Republican principals. Imagine that.

—*A. P. C.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Comedy of Errors

The Ninth Circuit's over-reaching into state courts' domain in the Pledge case could derail its ruling before the First Amendment issues are even reached.

HAROLD JOHNSON

As a topical tale of family feuding, *Kramer v. Kramer* or *The War of the Roses* has nothing on *Elk Grove Unified School District v. Newdow. Newdow,* due to be heard by the U.S. Supreme Court on March 24, is commonly known as the "Pledge of Allegiance Case" — the appeal from the Ninth Circuit's 2002 ruling that having public school students say the Pledge breaches the separation of church and state. But before the Supreme Court can decide whether the Pledge is constitutional or not, it must first confront knotty issues of California family law.

Michael Newdow is the Sacramento physician who brought a federal lawsuit in 2000 to have the words "Under God" stricken from the Pledge. He filed on behalf of his daughter, now nine, a student in the Elk Grove district, where reciting the Pledge was a morning exercise. He also asserts his own rights as a parent.

But Sandra Banning doesn't agree with him, and she has submitted an *amicus* brief to the Supreme Court (authored by former Solicitor General Kenneth Starr) challenging Newdow's Establishment Clause arguments. This is significant because Banning, although never married to Newdow, is the biological mother of Newdow's daughter. During much of the life of the lawsuit, Banning had sole legal custody of the girl. Even now, when Newdow and Banning share custody, it is Banning whom a California Superior Court has granted final say in major decisions about the girl's education and health. Banning's decision is that her daughter should continue reciting the Pledge — with "under God" intact.

CPR *Editorial Board member Harold Johnson is an attorney with the Pacific Legal Foundation (www.pacificlegal.org) in Sacramento.*

Does California law permit a non-custodial parent to prosecute a lawsuit to enforce what he claims are his parental rights to shield his daughter from the Pledge — when the parent with custody objects? A fair reading of California Court of Appeals precedents says no. But the California Supreme Court has never addressed the issue, so the Ninth Circuit should have certified the matter to the state's high court for clarification of where state law stands. Instead, the Ninth Circuit simply declared that, by its own (strained) interpretation of California case law, Newdow could sue as a parent.

So *standing* is the threshold question for the Supreme Court: Should Newdow have been allowed to continue with his lawsuit once Banning raised her voice in opposition? It's a little uncertain when she first made her position known, but by September 2002, a California Superior Court judge, at Banning's request, ruled that Newdow could not continue pressing his daughter's "rights" in the case. This was months before the Ninth Circuit's final ruling.

So don't be surprised if the Supreme Court never reaches the merits of the matter: *i.e.,* the constitutionality of the Pledge. It should find that the Ninth Circuit erred on the preliminary matter of standing, either because the Ninth Circuit read California case precedents incorrectly or because it failed to defer properly to the California courts by asking the California Supreme Court for clarification of the state's precedents.

If the Ninth Circuit had to arrogate to itself the role of interpreter of a murky area of state law, it should have recognized that the weight of California court rulings go against Newdow. For instance,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE FRONT LINE

Conservative California

by Ray Haynes

The good news for conservatives in the March voting: not one Republican candidate in any primary ran as a "moderate." The battle of ideas in the GOP seems once more to be resolved, for now at least, in favor of conservative positions.

Not that all is well in the conservative movement. A political force that was once energized and focused is now diffuse and directionless. Conservatives still agree on the ideas that drive the movement; what is missing is the next step: the strategy to capitalize on the victory of ideas.

The Primary also showed that this victory is not limited to the Republican Party. Conservative ideas have won the day throughout the state. Although 48 percent of Democrats turned out to vote compared to a 37 percent Republican turn-out, Proposition 56, the tax-hikes-made-easy initiative masquerading as a "budget accountability" measure, went down to a stunning defeat.

This was the dream election for the big spending lobby — a Democrat presidential Primary fight and no real, well-funded, high-profile statewide Republican fights, accounting for a voter mix decidedly in the big spending lobby's favor. In raw numbers, 2,736,108 Democrats voted against 2,002,206 Republicans — that's some 734,000 more Democrat than Republican voters. Still, the spending forces lost, and lost badly, Proposition 56 garnering just 35 percent support.

Perhaps even more interestingly, Proposition 55 — the school bond — barely squeaked through. Its winning margin was only 70,000 votes out of 6 million cast. The mood of the electorate is changing. School bonds used to be a gimme. No more.

In legislative and congressional fights, conservatives, or candidates calling themselves conservative, won every race. Unfortunately, some highly promising potential leaders lost. Perhaps most disappointing in this regard was the 63rd district where Elia Pirozzi lost by 147 votes.

The conservative vote was split by at least three people: Pirozzi, Michael Morrell, and Sam Stavros. Nearly 9,000 votes went to Morrell; Stavros received almost 2,500. Winner Bill Emmerson received just 10,460 votes. Had either Morrell or Stavros not been in the race, Pirozzi, a solid conservative leader, would be poised to go to Sacramento.

In the 3rd Congressional District, both Rico Oller and Dan Lungren ran as conservatives, Lungren edging out Oller 39 to 36 percent. Mary Ose, sister of outgoing incumbent Doug Ose, received 24 percent. Losing Oller as an up-and-coming star is a serious loss to the movement.

Which brings us back to the point about California conservatives being lost in the wilderness. Diffuse and directionless, the movement suffers strategic losses despite winning the idea war. Conservative leaders should sit down, bury the hatchet, formulate and agree to pursue a strategic plan, and work the plan.

With such a plan — agreed to by all the leaders — the movement can recapture its vigor and actually advance the ideas that carried the state in the last election. CPR

Ray Haynes represents California's 66th Assembly District.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

there's *Lerner v. Superior Court,* 242 P.2d 321. 323 (Cal. 1952), which declared that "the essence of custody is ... the right to make decisions regarding [the child's] care and control, education, health, and religion." Also, *Burge v. City & County of San Francisco,* 262 P. 2d 6, 12 (Cal. 1953): "Custody embraces ... the right to direct [the child's] activities and make decisions regarding his care and control, education, health and religion."

Even a California case that the Ninth Circuit cited to allow Newdow's suit to go forward actually seems to urge an opposite result. While *Murga v. Peterson,* 163 Cal. Rptr. 79 (Cal. Ct. App. 1980) acknowledged that a noncustodial parent may be involved in the religious activities of the child, it also stated that "the custodial parent undoubtedly has the right to make ultimate decisions concerning the child's religious upbringing." That suggests that Newdow had no standing, as a noncustodial parent, to go to court on his daughter's behalf, over Banning's objections.

All these rulings are from state courts of appeal, not the California Supreme Court. This underscores the problem with the Ninth Circuit's grant of standing to Newdow. Because the state's high court hasn't weighed in on the subject, the Ninth Circuit was showing exceptional *chutzpah* in making itself the final arbiter. Some have condemned the Ninth Circuit for an ideological "power play" in striking down the Pledge, a beloved and venerable expression of nonsectarian patriotic pride. But the court was displaying just as much audacity in trampling on the state courts' prerogatives to be the final interpreters of their own state laws and precedents. Indeed, one of the most effective *amicus* briefs submitted in the case — from UC Hastings Law Professor Joseph R. Grodin (in which he is represented by Professor Richard Epstein of the University of Chicago) — argues that the Supreme Court should

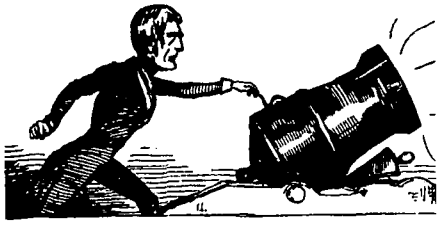
WHAT YOU HAVEN'T BEEN TOLD ABOUT GUN CONTROL

By SAM PAREDES

Last issue in this space, we learned from the Centers for Disease Control that there was "insufficient evidence to determine the effectiveness" of any gun control laws to impact violent "outcomes" — criminal or accidental. Plain English translation: after researching and studying all the various gun control schemes in the United States, they couldn't find even a shred of evidence that would allow them to say honestly that gun control works, even just a little bit, and still sleep at night with a good conscience. Gun Control doesn't work to stop or reduce crime; it doesn't work to prevent or reduce accidents. It just doesn't work!

Well a couple of rocket scientists at the Capitol think they know better. First we have Assemblyman Dario Frommer (D-Glendale), a devout, visceral anti-gunner. Mr. Frommer is proposing an Assembly Joint Resolution encouraging congress and the president to extend the 1994 federal ban on so called "assault weapons."

Then we have Senator Jack Scott (D-Pasadena), the guru of the anti-gun cultists in Sacramento. He introduced a bill that prohibits a person from possessing a firearm for 10 years if they are convicted of "criminal storage of a firearm" (allowing unauthorized access to children). He also declares that a firearm is defined as loaded if the ammunition for the firearm is stored in proximity (close to) the firearm."



His second brainchild would ban the sale of ammunition to anyone under 18 years of age. It requires a record be taken of the purchase of ammunition. The retailer is to record the date, name, address, and date of birth, a thumbprint and other specific information of every ammunition purchaser, and is to make the information available to peace officers.

California spends millions per year on gun control programs — all for meddling harassment of law-abiding citizens that the CDC study says accomplishes, as far as we can tell, *not one thing!* Imagine how they'd hit us if the busybodies could show that controls actually "work" in any way at all. CPR

Sam Paredes is executive director of Gun Owners of California.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

send it back to the Ninth Circuit with a direction that the issue of standing be certified to the California Supreme Court.

In the judicial arena, the doctrine of federalism — the notion that the nation is not a monolith but a pluralistic union in which the states retain a sphere of autonomy — requires that state courts, not federal courts, should say what state law means. The Ninth Circuit's decision to make itself the final oracle as to a California parent's rights carries ominous implications: it marks a milestone along the road to "federalizing" family law, taking questions of domestic relations out of state courts and out of the sphere of state legislators and putting them before federal judges. Such a development would further undermine the local control and diffusion of power that are at the heart of America's founding principles.

THE FEDERALISM questions presented by *Newdow* are just as important as the Establishment Clause questions. If the Supreme Court recognizes the danger in the federal judiciary arrogating yet more power and decision-making authority to itself at the expense of state lawmakers and state courts, it will either 1) dismiss the *Newdow* case altogether on the grounds that California state law, to the extent California's intermediate courts have enunciated it, does not give Newdow standing; or 2) direct the Ninth Circuit to ask the California Supreme Court for a definitive reading of California law and whether Newdow has a "right" to pursue his courtroom crusade. OFR

THOSE IN POWER OVER US

The Bonds that Could Have Been

The crisis of overspending has been put off, at least for now. But let us not forget that another crisis — a constitutional crisis — has been narrowly avoided.

M. DAVID STIRLING

PROPOSITION 57 waROPOSITION 57 was a victory for constitutional government. No, I'm not speaking of its passage. I mean — whether it had won or lost — the mere fact that Governor Arnold Schwarzenegger offered Californians the opportunity to vote on whether they would assume repayment responsibility for $15 billion in long-term bonded indebtedness. That opportunity to vote – that's the real victory.

Californians may never again – or, at least, *not* in our lifetimes – confront a fiscal crisis like the one we now face (one which, even with Prop. 57, will take many years to overcome). However, now that the governor has created some breathing room for addressing the crisis of *overspending*, it is worthwhile to point out that another crisis — a *constitutional* crisis — has been narrowly avoided and to consider the circumstances that came uncomfortably close to bringing it upon us.

Things that are old aren't always respected or appreciated. About words and ideas written more than a century ago, the attitude is that they're too outdated to be relevant in our modern lives. Even such seminal documents as constitutions are marginalized this way as embodiments of views of long-dead men, men of old-fashioned thinking just too confining for fast-moving, complicated 21st Century public life. Anyone enamored of such sentiments — and, for that matter, anyone appalled by them — would do well to consider certain recent events and what they tell about the valuable contributions of some long-gone Californians.

The drafters of California's original constitution in 1849 possessed a healthy, common sense understand-

M. David Stirling is vice-president of Pacific Legal Foundation (www.pacificlegal.org), a public-interest legal organization that defends individual and economic freedoms in court. He can be reached at mds@pacificlegal.org PLF's challenge to the constitutionality of the Davis-approved bonds was set for trial April 5. These bonds are expected to be rescinded with the passage of Prop. 57.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing of human nature. They knew that men in powerful elected positions possessed vast potential for abusing their power — particularly in spending taxpayers' money, and even more particularly in incurring state debt that the taxpayers would have to repay. The exercise of these powers required special oversight and control. And so, in firm, unambiguous language typical of the period, the 48 delegates to California's founding constitutional convention enacted Article 16, section 1, which reads in relevant part:

> The Legislature shall not, in any manner create any debt ... which shall ... exceed the sum of three hundred thousand dollars ($300,000) ... unless it has been passed by a two-thirds vote of all the members selected to each house of the Legislature and until, at a general election or at a direct primary, it shall have been submitted to the people and shall have received a majority of all votes cast for and against it at such election.

LAST JULY, as the centerpiece of this year's state budget, the Legislature enacted, and former Governor Gray Davis approved, a long-term $10.7 billion bond measure. They called these "deficit-reduction" bonds because their sale would bring in cash to pay off the short-term loans they had taken out last year to pay off similar loans coming due from the year before, and the year before that – building over four years an accumulated debt estimated at $38 billion. Fearing their $10.7 billion in deficit-reduction bonds on a statewide ballot would only highlight the fiscal crisis their spending spree had created, the Legislature and the governor instructed their counsel to devise Budget Act language that would somehow bypass the constitutional requirement of voter approval.

What they came up with was strikingly reminiscent of Hans Christian Andersen's fairy tale, "The Emperor's New Clothes." In this classic, two glib experts-in-make-believe, posing as weavers, convince a dull, inattentive emperor that, using their special thread, they will weave for him a beautiful suit that will appear invisible: but only to people unfit for their office. Intrigued with that prospect, the emperor pays the weavers handsomely to apply their rare skill. Later, the emperor exhibits his magnificent new clothes — which no one at court, not even the emporer, or among his subjects can see, but which no one is willing to admit they can't see. Thus the new suit is greeted with "oohs" and "ahs" until a child's voice rings out "But the emperor has nothing at all on" — and the spell is broken.

Like "The Emperor's New Clothes," the Davis-

Wanted: Advertising Representative

California Political Review seeks a part-time advertising representative. Most of your contacts will be made by telephone, fax and e-mail. A good opportunity for one who works from home. Send resume to *CPR* at P.O. Box 931, Camarillo, California 93011-0931.

Easy to scare-o

Spain's new leader Zapatero
Is a person who's easy to scare-o
Because of his fright
He's withdrawn from the fight
And fluttered away like a sparrow.

Now Spain's Zapatero has shown
What most of us always have known,
That you can't depend much
On the left in the clutch.
They won't even throw you a bone.

A buffoon namd Walter Cronkite
Who really is not very bright
Says it would be okay
If he'd married a gay.
With her, says his wife, it's all right

— by Joy Skilmer*

** The political verse of Joy Skilmer, né Lyn Nofziger, is available at both Barnes and Noble.com and Amazon.com and from MND Publishing, 573 Marina Rd., Deatsville, AL 36022. Keep up with Lyn's "musings" at: www.lynnofziger.com*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

approved bond plan was based not on reality but merely on an intense desire to believe. Highly specialized experts wove an unprecedented borrowing plan out of invisible thread. But while the bonds created would be quite real, what was made invisible was the key word in Article 16, Section 1: "debt." Traditional bonds (Prop 57 bonds, for example) are debts of the state. But the Davis-approved bonds would not be a debt of the state and thus not require a vote of the people — why not?

Because, the weavers said, these bonds would be woven of very special thread possessed only by uniquely expert individuals — viz., themselves. The thread was called "the triple flip." In the first flip, the weavers divert a one-half cent portion of the sales tax from local governments to a special fund dedicated to repaying the bonds. The second flip diverts property taxes from school districts to local governments to offset the sales tax diversion. The third flip diverts state general fund revenues to school districts to offset the property tax diversion. "Voilà," say the clever weavers: "these bonds are not a debt of the state."

TO PARAPHRASE the honest child in the Andersen tale, the Davis bonds-without-debt plan was fictional: created solely to deny Californians their right to vote them up or down. And, by the way, the administration's fall-back position had Prop. 57 failed was to sell the Davis bonds anyway. How outrageous it then would have been to have those unconstitutional bonds shoved down our throats by legislative fiat.

The lessons of this shameful episode: First, the people must be ever watchful for abuses by "those in power over us." Second, the '49er constitution drafters should be remembered fondly for having the wisdom, foresight, and courage to make the people the final arbiters of the use and misuse of political power. CPR

THE WORKING PRESS

Religious slights

Diane Sawyer and the limits of liberal tolerance — Mel Gibson's film about faith, hope, love, and forgiveness is simply too much.

GEORGE NEUMAYR

MEL GIBSON'S *The Passion of the Christ* did provoke religious slights — on Christians. Diane Sawyer's "ABC Primetime" interview with Gibson in February dripped with an insulting condescension toward Christianity, a condescension liberals would regard as bigoted were it aimed at Judaism or Islam.

Sawyer, looking almost in a state of physical pain as she furrowed her eyebrows, felt at liberty to question Gibson's faith with a surely-you-can't-believe-that? air. As Gibson spoke about his belief in the Devil and the Holy Spirit, Sawyer's face registered a wincing incredulity. She looked like a horrified anthropologist who had just come upon some grotesque religious sect in the jungle.

After Gibson said of Jesus Christ's crucifixion — "He was beaten for our iniquities. He was wounded for our transgressions. And by his wounds we are healed. That's the point of the film. It's not about pointing the fingers, it's not about playing the blame game. It's about faith, hope, love, and forgiveness. It's the reality for me. I believe that. I have to" — Sawyer asked, "Have to?" In other words: Come on, Mr. Gibson, you don't have to take your faith quite so stringently.

Fatuous television talk show hosts usually coo over the convictions of artists and believers. Not so with Gibson. His convictions were so in need of correction that Sawyer, suddenly an art monitor, demanded to know why he didn't make a different movie. "You could have made a life of Jesus," a soft movie without the crucifixion, Sawyer told Gibson. (The fatuousness of Sawyer reached its bottom when she referred to the

Mr. George Neumayr is California Political Review's *press critic.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"*The Passion of the Christ*" as an "anti-date movie.") And why, Sawyer also demanded, didn't Gibson add a postscript denouncing anti-Semitism to his movie?

Would Sawyer behave like such a busybody with any other director, hovering over their projects to ensure that their art didn't offend or divide Americans? She suggested to Gibson that he was "playing with fire." Does Quentin Tarantino and other directors who really do play with fire get reminders from her on their responsibility to make movies that produce only universal comity?

THE SAWYER set loves "art that challenges." It treats turmoil in the wake of art as a mark of its value and truth. But not if it is a movie based on the Bible. That can't be permitted. That's a dangerous obscenity, a matter of "playing with fire."

Gibson pointed out to Sawyer that those who object to his movie are really objecting to the New Testament. "Read the Gospels," he told her. But Sawyer doesn't want to read the Gospels unless they are rewritten according to approved liberal tenets. After all, the Bible, she told Gibson, has been deconstructed in accordance with liberal sensitivities. Gibson might have asked her to explain why the deconstructionists deconstruct the Sanhedrin's role in Christ's crucifixion while not extending that same deconstructionist generosity to Pontius Pilate.

WHEN NOT asking belittling questions — "What does the evil side want?" "Do you believe God wrote this film?" "You have the nonstop ticket [to heaven]?" — Sawyer was hiding behind phrases like "some critics say," "historians say."

Sawyer found a "former priest" to criticize the movie. He was concerned that the movie didn't anticipate the moviegoing needs of Martians. "Let's say I'm a Martian, I'm just watching this film. All the time I keep saying to myself, what's anyone got against this guy?" the former priest said. Nor did the "former priest" care for the focus on "brutality."

"I think it is one of the things," Sawyer said, "that worries and concerns some of the critics" — meaning her — "that this is presented as truth," she said to Gibson, casually implying that the Gospels are invented. Sawyer, determined to make sure that Gibson didn't criticize anyone else's religion, felt entitled to disparage his.

* * *

The *Los Angeles Times* is in the pocket of Los Angeles Cardinal Roger Mahony, according to an *L.A. Weekly* story from early March. "Media experts and observers of the clergy scandal point to a history of deference to the Catholic Church on the part of the *Times,*" writes *L.A. Weekly's* Jeffrey Anderson. "Mahony has cultivated an exclusive relationship with *Times* religion reporter Larry Stammer, who, sources say, shaves the rough edges off stories by his own colleagues."

ANDERSON NOTES that the one major story the *Times* has done on Mahony's mess was influenced by his public relations firm, Sitrick and Company. Its "role was to turn the *Times*' story around and burnish Mahony's tainted image." The coverage got even softer after that: "Following the August 18 story, Mahony coasted .... That December, an in-depth story on accused pedophile Jerold Lindner, a Jesuit priest, made no mention of Mahony or a clergy sex abuse scandal."

Times reporters who do smell a rat run into Larry Stammer, according to Anderson: *Times* "reporters who continue to cover the church scandal complain

PRI
PACIFIC RESEARCH INSTITUTE

California's "go-to" think tank for policy solutions

The Pacific Research Institute is California's top resource for practical, non-partisan solutions for workers' compensation, tax policy, health care, education, and telecommunications policy.

Recent publications include:

★ ***No Place to Learn: California's School Facilities Crisis***

★ ***How to Fix California's Broken Workers' Compensation System***

★ ***Telescam: How Telecom Regulations Harm California Consumers***

To learn more call **415.955.6120** or visit PRI's website **www.pacificresearch.org** to download a complimentary copy of PRI publications.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to sources that their efforts are hindered by editorial decisions and by Stammer, a religion reporter who intercepts stories that are too critical of Mahony."

Anderson quotes a *Times* source saying, "There are divisions within the *Times.*" Recent glowing stories about Mahony's handling of the crisis, such as "Mahony: Protecting Minors 'Job 1,'" come from Stammer. "That was Stammer's handiwork too, I'm afraid," said a *Times* source to Anderson.

Mahony let the cat out of the bag about Stammer in 2002 when an e-mail the cardinal wrote was disclosed saying, "Larry Stammer said that a lot of good has been done with the press and the media by doing the interview, and that he stands ready to help if we have a story we want to get out." According to Anderson, Stammer is known inside the *Times* newsroom as "Mahony's boy."

Anderson also noted that the *Times* didn't even do a story on Mahony when "jurors returned a $26 million verdict against the [Stockton] diocese and some later said they thought Mahony lied" on the stand. (He was Stockton bishop during part of the time priest-molestor Oliver O'Grady was on the loose, and so was questioned during the O'Grady trial.)

Reports Anderson: "Larry Drivon, the lawyer who cross-examined Mahony, has never let *Times* reporters hear the end of it. 'How can the most powerful cardinal in the country lie on the stand and that not be a story?,' Drivon frequently says. In October, *Times* reporter William Lobdell publicly apologized on behalf of his newspaper at a gathering of sex-abuse survivors in Los Angeles. 'Every time I see Larry Drivon. I feel guilty the *Times* never covered his trial verdict in Stockton,' Lobdell told a room of 100 or so people." CFR

Correspondence

(Continued from page 2)

finds herself disagreeing with Mr. Tennyson the solution is to answer him with argument, not muzzling. Good liberals, of course, adhere to specifically defined lists of respectable and acceptable ideas, even going so far as to edit the very words they use to make nonconformity with group-think as near impossible as they can. But we are not liberals. Conservatives like to argue because we like to think. Please, Ms. Cummins, don't impose on us liberal "reining in."

As for the audacious suggestion that conservatives now launch a campaign to eliminate sex education, the best prospect for beginning anything like that was before the recall, when voters had already made up their minds to reject both Gray Davis and Cruz Bustamante (as every reputable poll indicated). The choice was between Tom McClintock and Arnold Schwarzenegger: which, with reference to the sort of cause Ms. Cummins wants to address, is to say between a pro-family conservative and a social issues liberal. Evidently out of lack of faith in the strength of their own position, lots of conservatives chose to abandon the conservative candidate. As my article says, Gov. Schwarzenegger's administration offers opportunity for progress on issues of fiscal competence in governing, but I suspect it would shoot down without hesitation the idea that it should undertake a bold, or even timid, conservative initiative on social issues.

But perhaps Ms. Cummins means the same conservatives too intimidated by media hype even to vote for a candidate who shares their views could now realistically take on the whole liberal cultural establishment and a popular Republican governor to accomplish a coup that would have been extremely difficult even if they had a friend on this issue at the top.

The sky is falling

The politicians say the sky is falling — they must have more bonds (taxes). Well, let's see how they spend the money *you* give them:

- The City of Ontario spent $3.4 million to add 170 parking spaces to its Metrolink station;
- Upland put up a flashing message board for $67,000;
- Monte Vista Water District remodeled their flowerbeds for more than $35,000;
- MTA spent $400,000 on a used Power Ranger bus with 3-D film screens to promote light-rail safety;
- Medicare spent $600,000 for a blimp to fly over college football games;
- Ontario built a "Founders Garden" for $4 million.

Eric De Vries
Ontario CFR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Blackouts .... again?

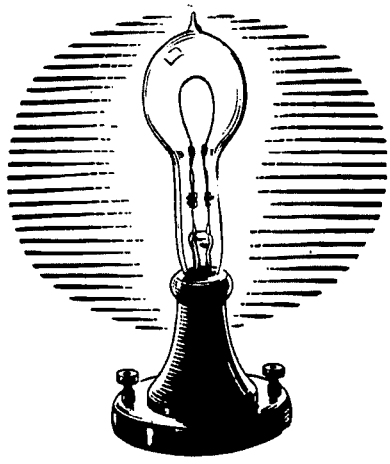
Plant closures, no new construction threaten another power crisis.

by Larry D. Hamlin and
Fereidon P. Sioshansi, PhD

In the dark early morning hours of March 19, 2001, electric power dispatchers for the California Independent System Operator (CAISO — the non-profit agency that runs much of the state's electric grid) nervously gathered in the control center in Folsom. Their purpose was to assess the latest information concerning the day's coming electric power demand and the status of the power plants needed to meet the load. Already, because of shrinking margins between demand and available power, thousands of businesses across the state had been advised to curtail power use for the coming day, which for many meant shutting down completely.

The news was not good. An aged 1,000-megawatt power plant had just tripped off line because of an electrical fault in a control system. This lowered the amount of available power to levels that would force rolling blackouts across the state. These partial, planned blackouts were necessary to prevent a complete collapse of the state's electric grid leading to out-of-control disruption affecting far more people.

What happened in 2001 could happen again — as early as this coming summer — according to a warning CAISO provided the state Senate Energy Committee last November. CAISO's warning indicated that the retirement of older plants, combined with a sharp decline in new plant construction, threaten new blackouts and another full-blown power crisis for the state the next time high demand conditions prevail.



The state agencies responsible for ensuring reliable electricity supply say reserve margins, to be adequate, should be 15 to 17 percent greater than summer peak demand. But an October 2003 CAISO study of summer electric supply reserve margins for the 5-year period 2004 through 2008 shows reserve margins well below those levels: an average of about 12 percent using average peak demand assumptions and only about 7 percent using high peak demand assumptions.

However, as bad as the October study's numbers were, an updated, January 2004 CAISO report to the Senate Energy Committee warned that the electricity supply forecast had significantly worsened. Thousands of additional megawatts of power plant capacity are now identified as retired or at risk of retirement in the near future. The electric power summer reserve levels forecast to be available over the next 5 years, taking these new retirements into account, average less than 6 percent under average peak demand assumptions and only about 1 percent under high peak demand assumptions. These are disastrously low levels of electricity reserves for the state and portend crisis-level supply problems starting this summer and going on into the future.

Two driving forces that dictate electric supply adequacy have created this situation. First, all those highly prominent, politically-inspired charges three years ago of "manipulation" and "profiteering" have so undermined investor confidence in the California

---

Larry D. Hamlin was the former California Energy Construction Czar during the period February to April 2001 at the height of the California energy crisis and was responsible for helping to develop the state's emergency plan to accelerate the construction of new power plants. He is a retired Corporate Officer of Southern California Edison Company where he was responsible for building, operating and maintaining SCE power plants. Dr. Fereidon P. Sioshansi is President of Menlo Energy Economics based in Walnut Creek, California, which serves clients on energy policy issues and analysis.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

energy market that private sector generators not regulated by the California PUC — even those that have obtained California Energy Commission (CEC) licenses — cannot obtain financing for construction of new plants. Potential sources of financing believe that wholesale market prices predicted for this year's high-demand season are too low and undependable, and that political pressures will prevent builders from benefiting when prices are high while ensuring losses when prices are low.

To help close California's electric power "reserve margin" gap, new power plants capable of generating about 10,200 megawatts were built from 2001 through 2003. But now — for the period 2004 through 2006 — given the dismal economics of power plant construction, the capacity of new plants actually being built is only about 1,500 megawatts, an 85 percent reduction from the prior 3-year period.

The second source of California's new electric supply crisis is the retirement of older generating plants that cannot compete with newer, more fuel-efficient plants. CAISO's January 2004 analysis indicates that about 3,349 megawatts of older plant capacity has been retired since 2001 and that older plants generating another 1,743 megawatts have announced plans to retire by 2006. Even more significantly, CAISO identifies an additional 4,264 megawatts of older plant capacity that is at high risk of retirement in the next few years. These retirements can happen very quickly. Should they occur, summer electricity reserve margins become nonexistent.

Declining California power plant construction again undermines the reliability of the state's electricity supply. The new governor, the Legislature, and energy regulatory agencies should make building new plants once again a top priority. Only by doing so can the state once again enjoy a reliable flow of electric power.

(Next issue: what brought about the power plant construction collapse and what will it take for new plant building to be resumed?) CPR

Revitalizing CRA

How to re-build conservative grass-roots effectiveness.

by G. Rick Marshall

In advance of the March 2 primary election, Los Angeles County CRA chapters held a county endorsing convention. Candidates outnumbered delegates. Even though clubs were allowed to send five delegates, few did. It fell to one chapter to host the event, send out notices and candidate questionnaires, prepare vote tally sheets, and invite candidates.

It is unlikely that other conventions fared much better, if they fared at all. How many good candidates had no opportunity to receive the CRA endorsing convention stamp of approval that conservative voters are looking for? Or to meet the grassroots campaign workers they needed? How many voters made uninformed choices at the polls for lack of conservative guidance?

It doesn't have to be this way.

Once upon a time, not so long ago, CRA permitted and encouraged what were called Coordinating Republican Assemblies. These special organizational structures were comprised of standing delegates from all the member chapters within a single county. They operated endorsing conventions, trained new grassroots activists, chartered new local chapters to expand CRA membership, and held fundraising dinners. These dinners drew big name speakers because the pooled resources of all the chapters in a county made the events large enough to justify an appearance by candidates for major offices and by other well-known political leaders. In short, the coordinating assemblies added the organizational advantages of size without sacrificing the close-knit flexibility and local orientation of the individual chapters.

But these structures were eliminated by a change in CRA bylaws, and another change will be required to bring them back. I believe that change should be made.

At its upcoming March annual convention in Sacramento, CRA will consider a bylaw amendment that would once more permit

A CRA member since 1993, G. Rick Marshall recently helped form a new CRA club in Los Angeles County. He is the primary proponent of a proposed CRA bylaw change to restore coordinating Republican Assemblies to the organization.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

county coordinating Republican Assemblies. If it is adopted by a two-thirds vote, the proposed amendment will restore to the organization's governing rules provisions that were in force from CRA's founding in 1934 until 1997, using essentially the language of the old bylaw. The proposed amendment's purpose is to help restore the energy and activity of the middle 1990s when CRA membership and chapter count were at least double their current numbers and growing.

A brief survey of *CRA News* headlines provides a good illustration of the coordinating assemblies' effectiveness in building and motivating membership (thanks to Louise Leigh, CRA Historian):

"1000 Delegates attend the CRA Convention in Santa Barbara"
— February 1936 (four years after CRA's founding)
"CRA has 11,000 members"
— October 1956
"CRA convention had 3,000 delegates, 14,000 members, and over 150 units. LA County has 3000 members."
— April 1965
"CRA has a membership of 15,000"
— August 1968

Compare these numbers with CRA membership today. With, presently, 75 chapters statewide, total membership is close to 1,000. The difference? No county coordinating Assemblies!

Until 1971, county coordinating assemblies had the authority to charter new local Assembly chapters and CRA membership reflected it. In 1964, the Los Angeles County coordinating assembly endorsed New York Gov. Nelson Rockefeller over Senator Barry Goldwater for president. This helped set off a power struggle within the organization that led, in 1971, to a CRA bylaw change that removed coordinating assemblies' chapter chartering rights. Before the change, between 85 and 95 units existed in Los Angeles County alone. By 1979, only 17 units remained.

Coordinating assemblies added the organizational advantages of size without sacrificing the close-knit flexibility and local orientation of individual chapters.

The County Assemblies continued to hold endorsing conventions and provide opportunities to network away from state conventions. And, although loss of chartering authority was not a mortal wound to membership growth, CRA became dependent on external events to attract new members. Pat Robertson's 1988 presidential campaign brought an influx of motivated new members, as did the 1994 Republican takeover of Congress. By 1994, CRA annual conventions filled hotel ballrooms with crowds of at least 500 delegates. In 1996, most GOP presidential contenders wanted a chance to address both our (spring) annual and (fall) endorsing conventions. As first vice-president of the Los Angeles County Coordinating Republican Assembly in the mid-1990s, I saw our 1994 and 1996 county endorsing conventions attract 250 delegates while a 1996 county-wide fundraising dinner drew Republican presidential candidate Alan Keyes as keynote speaker.

Even so, the loss of chartering authority had removed so much of the coordinating assemblies' reason for being — leaving in most cases little more than a layer of bureaucracy consuming resources and time without expanding CRA — that by early 1997 Los Angeles County's was the only functioning coordinating assembly left in the state. In March of that year, this last coordinating assembly ceased to be with the removal of the bylaw authorizing the county groupings altogether.

Seven long years later, we are no better off. CRA now has fewer chapters and a smaller overall membership. At the state convention a year ago, only the office of president was contested. All five vice-presidential offices up for election were filled by unopposed candidates. Instead of filling a hotel ballroom, we struggled to fill the hotel terrace.

Yes, CRA has demonstrated its ability to affect public policy even without coordinating assemblies. Last year's referendum signature drive that made a major contribution to forcing repeal of SB60 — driver's licenses for illegal aliens —

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

confirms that. But without an army, we will have difficulty being effective on less ominous and less universally unpopular (though still important) issues.
eadership Institute founder Morton Blackwell tells us: campaigns are won or lost depending on the number and dedication of the grassroots activists on each side. Blackwell recently released his "Focus on California" plan for increasing the number of California grass-roots activists he trains from around 1,700 to more than 17,000 in the next five years. What better home could these activists find than CRA? This bylaw change will enable CRA to expand its membership by attracting them (and the benefit of their Leadership Institute training) not only in Los Angeles County but across the state.

Events are once again providing momentum to rebuild CRA. It's time to learn from and correct past mistakes and move on to rebuild California's conservative movement. Then, once again, we will see the headline: "CRA Convention had 3000 delegates!"

The Gipper & the Snail

Get out of the rat race; go at a snail's pace.

by Peter Hannaford

If there is one issue around which California gardeners unite it is their hatred of the common enemy, *Helix aspersa,* the French snail. Helix came to the Golden State in the 1870s in the baggage of French immigrants, wanting to assure themselves a steady supply of *escargots.* They would fatten the creatures on a diet of meal before sautéing them. Some escaped, however, and began breeding in large quantities. Soon nearly every garden in the state was bedeviled by them — and is, to this day. No amount of snail bait or saucers of beer seems to dent the snail population.

It was with some amusement then, that I opened the Snail Letter in early 1974. I was then director of public affairs in the governor's office in Sacramento, the final year of Ronald Reagan's second term as governor. Letters to the governor with which no one wanted to deal were routed to me. This one was from a Third-grader

at the Holbrook School in Concord, in Contra Costa County. She wrote, "Get out of the rat race and go at a snail's pace. Please come judge our Third Annual Snail Race."

While there was speculation that Reagan might run for president in 1976, the one certainty was that he was *not* running for reelection in 1974, so he could engage in some light-hearted activities. I was touched by the letter; I thought he would be, too, so I proposed it at the next scheduling meeting. He said, "Let's do it; it sounds like fun."

So, one Thursday in April (the Legislature was out that day), we set out for Concord, with reporters and television cameras of the press corps along.

A band was playing when we got there. Dozens of children were cheering and a lot of parents were on hand. The school's officials were clearly proud of the fact their school had been singled out. The snails, with numbers sticking up from their shells, were creeping about the brightly painted concentric circle racing board. The snails were to "race" from the outer edge of the circle to the center. Several strayed along the way, but one determined contestant made a bee-line for the center. The race was over in about eight minutes. To this day I do not know if the winner ended up in contented retirement on a tomato vine or as escargot (mum was the word at the school), but everyone had a grand time. The governor bestowed on the winning classroom the Governor's Snail Race Perpetual Trophy, a jar of jelly beans with his seal etched on it.

Some time later the school sent Reagan a ceramic snail as a memento. He gave it to me as per-

(Please turn to page 26)

Peter Hannaford's latest book about the 40th president is Ronald Reagan and His Ranch: The Western White House, 1981-89.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A California Political Review Symposium

The Top 73 Reasons California's budgets don't Balance

48 Assembly Democrats; 25 more in the Senate

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

JOHN KURZWEIL — THE CRISIS IS POLITICAL

The *Los Angeles Daily News*' coverage of the state spending crisis continues to go beyond the clichéd quoting of professional pleaders for the downtrodden, even dancing dangerously close to the precipice of journalistic respectability by looking at actual causes. In January, the paper pointed out that California's Medi-Cal costs "have skyrocketed since 1999 [*i.e.*, during the Davis years], increasing 870 percent" and that now, "at 15.5 percent, more residents use Medi-Cal per capita than in any of the 10 largest states." The article detailed how Democrats led by Davis created the explosion in the program's costs, undermining the argument that any sort of Medi-Cal spending restraint would be catastrophic; that, indeed, it would require merely returning to the perfectly adequate spending levels of only a few years ago.

Then on March 13, the *News* reported on a study it conducted that found "spending for public employees' salaries and benefits at the state and local levels" over the period from fiscal year 1997-98 to 2002-03 "increased overall at more than twice the rate of inflation and grew faster than the per capita income of average Californians." This is news — in the context of a debate that seems exclusively fixated on how much "pain" California can endure, in the form of spending "cuts" and "slashed services" forced on us by heartless Republicans. Where, one idly wonders, is the pain for average Californians — excluding public employees — in reigning in government workers' salaries at least to the levels everybody else has to live with? As Steven B. Frates, senior fellow of the Rose Institute at Claremont-McKenna College, (quoted in the article) says, "There has been a wealth transfer. It has gone from the citizens to the people in government. You often hear people in government cry that there are going to be cuts and we're hurting the poor and the little children. The fact of the matter is the citizens of the state, county, and city are making life better, not necessarily for schoolchildren or people in need, but for government employees."

Similar articles could be written documenting another vast wealth transfer from citizens to the very narrow special interest group of trial lawyers who benefit from economically destructive policies such as those at the root of the current crisis in California's workers' comp system. The only real obstacle to reform of workers' comp is Democrats' unwillingness to offend a special interest whose donations contribute mightily to keeping them in office. Certainly, the *people* have no stake in a system that costs more than any other state's to deliver benefits among the nation's skimpiest.

The difficulty in handling California's fiscal crisis arises not from deep mysteries about what caused it, nor from any real uncertainty about its solutions, nor from any reasonable expectation that enacting those solutions would actually visit terrible costs, burdens, and "pain" upon the people of the state or even any large portion of them. The difficulty, in short, is political: the 73 Democrats that hold the majorities in the Legislature's two houses, legislators whose ideological and personal power interests collide with any degree of spending restraint consistent with fiscal solvency.

Looking forward from the election just past and onward toward November, this *CPR* symposium considers California's political and policy condition from the varying perspectives of our distinguished panel of experts. The unifying theme that emerged from these articles (although none was suggested to any of the writers before they wrote) is that the only aspect of the state's multifarious "crises" in any way threatening to prove intractable is the opposition of the 73 — hence the symposium's title.

John Kurzweil is editor of California Political Review.

So where did this money go? Frankly, some of it is being wasted. The best estimates suggest that more than $2.5 billion is squandered every year in Medi-Cal fraud.
— James L. Brulte

JAMES L. BRULTE — THE TAX FACTS

As the governor and the Legislature grapple with the budget crisis, it is evident that there are two competing views on how to solve this problem. Democrats believe California is broke because we don't have enough money — and that the solution is to raise taxes. Republicans believe the problem is overspending, which they seek to restrain while eliminating government waste. California's revenues have increased more than 25 percent over the past five years, a rate consistent with population and inflation growth. With this boost in revenues, how could the state go broke?

The answer is simple: over the past five years the Democrat-controlled Legislature and Governor Gray Davis increased state spending 43 percent. To put it another way, for every $100 in new revenue, the Legislature spent $172. Families and businesses can't do this. Neither should the Legislature.

So where did this money go? Frankly, some of it is

Senate Republican Leader James L. Brulte represents California's 31st state Senate District.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

being wasted. The best estimates suggest that more than $2.5 billion is squandered every year in Medi-Cal fraud. Hundreds of millions of dollars more are sent to Washington, D.C., in fines because some state agencies fail to comply with federal laws. And then there are a host of small things that add up. For example, taxpayer dollars are spent on a golf course in the Oakland Hills that is owned by the California Department of Transportation. The University of California owns property in Tahiti and Hawaii that we could sell. These are wasteful luxuries we cannot afford and that government has no business indulging.

The state simply spent more than it took in. This is the root of the problem.

Despite this overspending and even though California's tax burden is among the highest in the nation, Democrats want to raise taxes. According to the Tax Foundation, the average Californian spends roughly $1,500 *more* in taxes than citizens in other states. California is home to the highest sales tax in the nation and one of the highest per capita income tax rates.

And raising taxes would not solve our fiscal problems anyway. It would damage the economy, making the problem worse. When families pay more in taxes, they have less cash available to buy groceries, clothes, and other necessities. When families buy less, businesses need fewer employees to meet demand and look to downsize. Overall, new taxes increase the already high cost of living and doing business in California, further jeopardizing the economy.

This is exactly what occurred a decade ago. At that time, California faced a multi-billion dollar deficit and taxes were raised with the hope of plugging the hole in the state budget. The new taxes proved an extreme burden on families, businesses, and the entire economy. The result? Over the next two fiscal years, the state's revenues actually *dropped* by $2 billion.

If taxes did not solve the budget crisis of the 1990s, what did?

It was simple. Then-Governor Pete Wilson and the Legislature worked together to restore the economy by controlling state spending, reforming workers' compensation, streamlining the permitting and regulatory process, and reducing bureaucratic red tape.

Once these reforms were in place, the economy roared back. Businesses thrived and jobs were created. When more workers are on the job and confidence in the economy is strong, consumption increases, generating additional sales and income tax revenues.

Rather than raise taxes, Governor Arnold Schwarzenegger and the Legislature should focus on efforts to create more jobs, limit spending, and cut government waste. Most importantly, the Legislature must pass a budget that holds government accountable to those who pay the bills — taxpayers.

MICHAEL C. GENEST — THE ROAD BLOCKS

On March 2, the voters responded overwhelmingly to Governor Arnold Schwarzenegger's call to refinance a portion of the $22 billion in debt left from the Davis Administration and to tear up the state's credit card so that California would never again face such a massive fiscal crisis. While Californians of all political persuasions can be happy that such a momentous milestone has been reached, no one should assume that the worst is over.

The state still must deal with $7 billion-plus of inherited debt not re-financed by Proposition 57 (the Economic Recovery Bond) that will come due over the next three years. More urgently, the state faces an operating shortfall in excess of $14 billion (meaning that expenses, if left unchecked, are on pace to outstrip available revenues by that amount). In the budget he submitted in January, Governor Schwarzenegger identified a series of tough measures needed to close this ongoing gap. The really heavy lifting comes in getting approval from the Legislature, which can be expected to resist many of the proposed spending cuts.

How tough are these cuts? Getting the prison guards' union to agree to reduce $400 million from the corrections budget, as proposed by the governor, will be no mean feat. Eliminating entirely a state program that pays people to care for their aged, blind, or disabled relatives will require some legislators to compromise their core principles. Cutting almost $1 billion from the money paid to doctors and other providers of health care will not only require legislative action, but will have to be approved by the liberal 9th Circuit. Holding spending for the developmentally disabled to $100 million less in growth than currently projected will require legislative approval as well as deft administration to insure that essential services are not affected.

What may not be clear to many Californians is that even with all this spending restraint, and even more besides, state government's costs will *still* grow. The current year budget, the last signed by Gray Davis, is so full of gimmicks and one-time savings that, even with-

Michael C. Genest is chief deputy director for the budget in the Schwarzenegger administration's Department of Finance.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

out caseload growth or inflation, costs will go up $9 billion. For instance, restoring the car tax reduction the previous administration illegally eliminated will add more than $4 billion in spending because the state must "backfill" the revenues lost by local government. With all these built-in problems, keeping the spending increase in 2004-05 to a mere $1 billion, as proposed in the governor's budget, could require a miracle. Finding additional cuts to balance the budget in 2005-06 will be almost as hard.

Governor Schwarzenegger, some would say, has set himself a Herculean task in seeking to restrain California government's massive urge to increase spending. By enacting Proposition 58, which constitutionally guarantees a balanced budget, the voters have given the governor and the state a powerful assist.

But cuts and spending restraint alone will not be enough. California must dramatically improve its business climate through workers' compensation reform, deregulation, and by doing a better job of "selling California." Only an economy restored to full health will produce the new revenue essential to long-term budget stability.

RAY HAYNES — THE LEGISLATURE IS STILL FAR LEFT

Regardless of what anyone thinks of Proposition 57, the $15 billion bond on the March ballot, or Proposition 58, the "Balanced Budget Amendment," one thing can be said: with the approval of those two propositions, the state can say good-bye to Gray Davis.

It is true we still face revenue-to-spending deficits of about $8 billion that Davis, through his lack of leadership, helped the Democrat legislative majority create. And it is also true that significant reductions in baseline, and even current level, spending may be necessary. However, the big monster, the accumulated $13.3 billion in debt caused by an out-of-control pension system, creating a $2.5 billion obligation to CalPERS (the state's public employee retirement program), and spending decisions that accumulated $10.8 billion in debt over the last two years, is gone. That $13.3 billion in debt, plus the additional debt created by the current budget, is wiped out. Of course the money must still be paid back — through the bond plan — but that repayment schedule is at manageable levels.

When last year's budget was approved, the state was looking at $10.8 billion in accumulated loans due in June of this year. When a pension obligation bond of $2.5 billion was declared unconstitutional in September

Ray Haynes represents California's 66th state Assembly District.

What may not be clear to many Californians is that even with all this spending restraint, and even more besides, state government's costs will still grow.

— Michael C. Genest

of 2003, the whole repayment scheme devised by Davis was thrown into doubt. In November, Governor Arnold Schwarzenegger faced $15 billion in debt with six months to find the money to pay it off. He began with a "spending cap" and a loan, and settled for a "balanced budget requirement" and a loan. It wasn't a masterfully conceived deal, but it was a necessary one, given the magnitude of the problem.

Senator Tom McClintock is correct in saying the entire problem could be solved with a 14 percent across-the-board spending reduction. I would have voted for such a plan, which would not be at all unreasonable, given state government's gluttonous spending increases of 40-plus percent during Davis's tenure. But reason does not reign in a Legislature dominated by socialist-minded Democrats. I can say for sure that there were two votes in the Legislature for the McClintock plan. But in a world where it takes 81 votes (27 Senate, 54 Assembly) to enact a spending plan, McClintock's ideas serve as a good Republican starting point for discussion. The final deal will be something else. The deal approved by the Legislature solves the immediate problems created by Davis, and diminishes the long-term damage by reducing the growth of state government over time. It puts behind us a lot of ugly decisions that might have led some of the Republican Party's weaker sisters to support a tax increase. It was not the best solution; not really even a very good solution, but it was the only solution available in a body controlled by the far left.

So where are we? Tax increases are off the table, significant reductions to government spending are on, and Republicans come off with a public relations win. Not bad for a day's work.

CHUCK POOCHIGIAN — WORKERS' COMP MOMENTUM

California's dramatically changed post-recall political landscape generated a great deal of momentum in the Capitol to finish the job of reforming workers' comp.

Governor Schwarzenegger established a March 1 deadline that brought lawmakers and stakeholders to-

Chuck Poochigian represents California's 14th state Senate District.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

gether to start hammering out a deal. He warned that legislative inaction could prompt a ballot initiative. Though the deadline passed without any final product agreed upon, it served a vital purpose and spurred legislators into action.

Subsequently, the governor's hand in negotiating a deal has grown much stronger following his success in the March 2 Primary. I am optimistic that his proven ability to take an initiative to the people will provide the clout to broker a comprehensive legislative solution. If lawmakers come together and pass a comprehensive solution in the coming weeks, employers will see much-needed relief as early as this summer. The state would also avoid a costly ballot war.

California's workers' compensation system is badly broken. Skyrocketing costs have wreaked havoc on the state's employers and the economy as a whole, while injured workers have among the worst return-to-work rates in the nation.

Last year the Legislature passed workers' comp bills that will result in some cost savings. The legislation established medical fee schedules and utilization guidelines, but it fell far short of the comprehensive overhaul needed to streamline the system and provide relief to both public and private employers.

California employers currently pay approximately $6.33 per $100 payroll for their workers' comp, compared to the national average of around $2.46. Costs that hovered around $11 billion in 1998 — just four years ago — are projected to reach an astonishing $25 billion in 2005.

I have introduced a bill designed to rein in the excessive cost drivers plaguing the state's Byzantine system. It would reduce subjectivity by mandating objective medical findings based on nationally recognized medical standards. This would limit the wide disparity that currently exists in treatment and awards between two injured workers who may have identical injuries, and lower costs by reducing litigation. It would expedite treatment and limit the need for dueling doctors' reports that drag out claims, increase animosity, and drive up costs.

In cases where there are disagreements, our bill would institute an independent medical review process so that an unbiased party could help resolve disputes. This would help deliver quality care in a timely manner while lowering both medical and legal costs.

A common sense provision in our proposal would exclude injuries predominately caused outside the work environment. Additionally it would ensure that all injured workers are given medically necessary care for workplace injuries, a standard understood by physicians outside the workers' comp system.

Our goal is to reduce costs to the national average. Once costs are brought down, our plan would increase benefits for the most severely disabled. These are just a few examples of the elements contained in our package.

In the end, we must address the underlying problems in our unreasonably complex system that foster delay, litigation, and abuse. I believe that our far-reaching reforms would result in the magnitude of savings necessary to reduce costs dramatically while providing injured workers the treatment and benefits they need and deserve.

Governor Schwarzenegger's steady drumbeat for real workers' comp reform has forced this issue into the spotlight. Whatever reform package is adopted, whether through legislation or ballot initiative, will be a direct result of the recognition that this issue is the most important factor hampering California's economy.

The tide has turned on the workers' comp crisis. I am optimistic that in 2004 we could see California's costs drop to more acceptable levels while improving protections for truly injured workers. A watered down proposal will not get us there. A comprehensive solution is in reach that would yield predictable, quantifiable, and substantial relief.

WILLIAM E. SARACINO — WHERE TO LOOK FOR CHANGE IN NOVEMBER

Political gerrymanders, much like political surveys, often have short shelf lives. They are valid as "snap shots in time," reflecting reality at the time the survey is taken or the gerrymander enacted. Voter opinions change and voters themselves move, accounting for the volatility.

The Democrat gerrymander of 1981 was meant to limit GOP strength in the Assembly to 30 or, at best, 31 seats, yet after the 1986 elections the assembly held 36 GOP members. The bi-partisan gerrymander of

William E. Saracino is a member of California Political Review's *editorial board.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

2001 was designed to cap GOP membership in the lower house at 30, but the 2002 election brought 32 Republicans to the Assembly. A preliminary look at this year's electoral prospects shows substantial promise for GOP candidates for both legislative houses — with one big asterisk, to be discussed below.

The 15 GOP senators could see two new additions. Excellent prospects exist in the Sacramento Delta-based 5th Senate District and the San Diego-centered 39th.

The contest in the 5th district pits incumbent Democrat Michael J. Machado against Stockton Mayor Gary Podesto. Like all of the central valley, this district has been trending Republican for several years now. Additionally, this is the home turf of former Assemblyman and Board of Equalization member Dean Andal, one of the GOP's sharpest operatives anywhere in the state. Machado tries to masquerade as a "moderate," and beating him will be no cakewalk. But the Andal/Podesto team have a real shot to pull off what would be a mild upset.

The 39th senate district in San Diego — an open seat due to term limits — is actually less Democrat in registration then the 5th, but more liberal in attitude. Republican former Assemblyman and Judge Larry Stirling will battle Assemblywoman Christine Kehoe here. This is one of the state's more unpredictable "swing" districts with a large independent registration. Stirling is well-known and well-liked in San Diego, and is exceptionally bright, articulate, and principled. Kehoe served on the San Diego city council before entering the assembly, so she has her own local base. A plus for Stirling, himself a tireless campaigner, is the well-oiled operation GOP County Chairman Ron Nehring has assembled. Stirling would be a huge plus as a member of the GOP senate caucus.

The assembly also features several realistic pick-up prospects. Leading the list is the 30th district in Kern County, featuring a rematch between Republican Dean Gardner and Democrat incumbent Nicole Parra. An under-funded Gardner came within 200 votes of beating Parra in 2002. GOP powerbrokers in Sacramento would be wise not to let this happen again. Additionally, Parra is plagued by internecine party warfare with state Senator Dean Flores. Parra's father, an incumbent Kern County supervisor, was ousted in the primary election by a Flores staffer. Democrat bad blood flows here like the California aqueduct.

The adjacent 31st A.D. — another term limit-open seat — also bears watching, though its registration is more Democrat than the 30th. Democrat nominee Juan Arambula faces the same challenge confronting Mike Machado: holding a traditionally Democrat seat as the voters become increasingly Republican and conservative. GOP standard bearer Paul Betancourt has wowed several GOP assembly members.

The 30th assembly district features a rematch between Dean Gardner and Nicole Parra. An under-funded Gardner came within 200 votes of beating Parra in 2002. GOP powerbrokers in Sacramento would be wise not to let this happen again.

— William E. Saracino

The 54th District in Long Beach will feature a rematch of the historic 1994 race between Steve Kuykendall and Betty Karnette. Kuykendall won that race by a few hundred votes, thereby becoming the 41st Republican member of the assembly.

Though the stakes will probably not be as high this year, the race should be every bit as close. Also in play for the GOP are the Santa Barbara-based 35th assembly district, once held by Brooks Firestone, and the Silicon Valley-centered 24th, most of whose territory was once represented by Ernie Konnyu, this year's GOP nominee.

All of these races hold lots of interesting possibilities, if — and this is the huge asterisk I mentioned above — *if* the governor is willing to go into the districts and play hardball to push any or all of these candidates over the finish line, even at the risk of alienating his Democrat and "bi-partisan" friends. The primary election results confirmed that Mr. Schwarzenegger is California politics' 800-pound gorilla. He could have enormous impact in close legislative races if he becomes a partisan warrior, a role that does not necessarily come naturally to him.

My guess is that he will pick his spots carefully, but that, in the end, the governor will weigh in for those GOP legislative hopefuls showing a realistic chance of winning. Mr. Schwarzenegger and his handlers are bright enough to realize that a Legislature containing more Republicans would a) make governing the state easier and b) incline the remaining Democrats more, not less, toward cooperation in 2005 — in hopes of avoiding Schwarzenegger visits to their districts in 2006.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Is marriage anything?

'Live and let live' now means forgetting the meaning of words and jettisoning any notion or institution or law that won't conform to the dictates of the herd.

For Better or for Worse?

The federal marriage amendment would strike a blow for freedom.

Mary Ann Glendon

President Bush's endorsement of a constitutional amendment to protect the institution of marriage should be welcomed by all Americans who are concerned about equality and preserving democratic decision-making. "After more than two centuries of American jurisprudence and millennia of human experience," he explained, "a few judges and local authorities are presuming to change the most fundamental institution of civilization."

Those judges are here in Massachusetts, of course, where the state is cutting back on programs to aid the elderly, the disabled, and children in poor families. Yet a four-judge majority has ruled in favor of special benefits for a group of relatively affluent households, most of which have two earners and are not raising children. What same-sex marriage advocates have tried to present as a civil rights issue is really a bid for special preferences of the type our society gives to married couples for the very good reason that most of them are raising or have raised children. Now, in the wake of the Massachusetts case, local officials in other parts of the nation have begun to issue marriage licenses to homosexual couples in defiance of state law.

A common initial reaction to these local measures has been: "Why should I care whether same-sex cou-

Ms. Glendon is Learned Hand Professor of Law at Harvard. This article appeared February 25 in the Wall Street Journal.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ples can get married?" "How will that affect me or my family?" "Why not just live and let live?" But as people began to take stock of the implications of granting special treatment to one group of citizens, the need for a federal marriage amendment has become increasingly clear. As President Bush said yesterday, "The voice of the people must be heard."

Indeed, the American people should have the opportunity to deliberate the economic and social costs of this radical social experiment. Astonishingly, in the media coverage of this issue, next to nothing has been said about what this new special preference would cost the rest of society in taxes and insurance premiums.

The Canadian government, which is considering same-sex marriage legislation, has just realized that retroactive social-security survivor benefits alone would cost its taxpayers hundreds of millions of dollars. There is a real problem of distributive justice

Everyone gets in line for a marriage license

by Doug Clark

(A scene at City Hall in San Francisco)

"Next."

"Good morning. We want to apply for a marriage license."

"Names?"

"Tim and Jim Jones."

"Jones? Are you related? I see a resemblance."

"Yes, we're brothers."

"Brothers? You can't get married."

"Why not? Aren't you giving marriage licenses to same gender couples?"

"Yes, thousands. But we haven't had any siblings. That's incest!"

"Incest? No, we are not gay."

"Not gay? Then why do you want to get married?"

"For the financial benefits, of course. And we do love each other. Besides, we don't have any other prospects."

"But we're issuing marriage licenses to gay and lesbian couples who've been denied equal protection under the law. If you are not gay, you can get married to a woman."

"Wait a minute. A gay man has the same right to marry a woman as I have. But just because I'm straight doesn't mean I want to marry a woman. I want to marry Jim."

"And I want to marry Tim. Are you going to discriminate against us just because we are *not* gay?"

"All right, all right. I'll give you your license. Next."

"Hi. We are here to get married."

"Names?"

"John Smith, Jane James, Robert Green, and June Johnson."

"Who wants to marry whom?"

"We all want to marry each other."

"But there are four of you!"

"That's right. You see, we're all bisexual. I love Jane and Robert, Jane loves me and June, June loves Robert and Jane, and Robert loves June and me. All of us getting married together is the only way that we can express our sexual preferences in a marital relationship."

"But we've only been granting licenses to gay and lesbian couples."

"So you're discriminating against bisexuals!"

"No, it's just that, well, the traditional idea of marriage is that it's just for couples."

"Since when are you standing on tradition?"

"Well, I mean, you have to draw the line somewhere."

"Who says? There's no logical reason to limit marriage to couples. The more the better. Besides, we demand our rights! The mayor says the constitution guarantees equal protection under the law. Give us a marriage license!"

"All right, all right. Next."

"Hello, I'd like a marriage license."

"In what names?"

"David Deets."

"And the other man?"

"That's all. I want to marry myself."

"Marry yourself? What do you mean?"

"Well, my psychiatrist says I have a dual personality, so I want to marry the two together. Maybe I can file a joint income-tax return."

"That does it! I quit!! You people are making a mockery of marriage!!"

Doug Clark is associate editor of the North Carolina Highpoint Enterprise *where this article first appeared.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

here. How can one justify treating same-sex households like married couples when such benefits are denied to all the people in our society who are caring for elderly or disabled relatives whom they cannot claim as family members for tax or insurance purposes? Shouldn't citizens have a chance to vote on whether they want to give homosexual unions, most of which are childless, the same benefits that society gives to married couples, most of whom have raised or are raising children?

One foreseeable effect of their success will be to usher in an era of intolerance and discrimination the likes of which we have rarely seen before.

If these social experiments go forward, moreover, the rights of children will be impaired. Same-sex marriage will constitute a public, official endorsement of the following extraordinary claims made by the Massachusetts judges in the Goodridge case: that marriage is mainly an arrangement for the benefit of adults; that children do not need both a mother and a father; and that alternative family forms are just as good as a husband and wife raising kids together. It would be tragic if, just when the country is beginning to take stock of the havoc those erroneous ideas have already wrought in the lives of American children, we should now freeze them into constitutional law. That philosophy of marriage, moreover, is what our children and grandchildren will be taught in school. They will be required to discuss marriage in those terms. Ordinary words like husband and wife will be replaced by partner and spouse. In marriage-preparation and sex-education classes, children will have to be taught about homosexual sex. Parents who complain will be branded as homophobes and their children will suffer.

Religious freedom, too, is at stake. As much as one may wish to live and let live, the experience in other countries reveals that once these arrangements become law, there will be no live-and-let-live policy for those who differ. Gay-marriage proponents use the language of openness, tolerance, and diversity, yet one foreseeable effect of their success will be to usher in an era of intolerance and discrimination the likes of which we have rarely seen before. Every person and every religion that disagrees will be labeled as bigoted and openly discriminated against. The ax will fall most heavily on religious persons and groups that don't go along. Religious institutions will be hit with lawsuits if they refuse to compromise their principles.

Finally, there is the flagrant disregard shown by judges and local officials for the rights of citizens to have a say in setting the conditions under which we live, work and raise our children. Many Americans — however they feel about same-sex marriage — are rightly alarmed that local officials are defying state law, and that four judges in one state took it upon themselves to make the kind of decision that our Constitution says belongs to us, the people, and to our elected representatives. As one state house wag in Massachusetts put it, "We used to have government of the people, by the people and for the people, now we're getting government by four people!"

Whether one is for, against, or undecided about same-sex marriage, a decision this important ought to be made in the ordinary democratic way — through full public deliberation in the light of day, not by four people behind closed doors. That deliberation can and must be conducted, as the president stated, "in a manner worthy of our country — without bitterness or anger."

'Pragmatic' compromise

Memo to Republicans: the goal is not marriage, but civil unions

Scott Lively

Liberal Democrats and conservative Republicans are about to share an unpleasant experience at the hands of "gay" political strategists. They're both being "played" by the homosexual movement in the supposed battle for "gay marriage," and any day now they're going to figure it out. The bad news for Democrats is that the Republicans are going to win the marriage battle easily. The bad news for conservative Republicans is that "marriage" is not the real goal of the "gay" movement.

"Gay" activists don't really expect to win "gay marriage" (at least not in the short term). What they want more than marriage is full legitimization of their sex-

Scott Lively is an attorney in private practice in northern California.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ual conduct, and the power to punish those who continue to disapprove of it. And they expect to use the Republican Party as their vehicle to achieve these goals. Yes, the Republican Party.

There is little doubt that "gay marriage" will become the leading social issue in the 2004 elections, and even liberal pundits acknowledge the danger this represents to Democrats. At least 38 states have already passed "Defense of Marriage" legislation and polling shows that Americans are in opposition to same-sex "marriage" by two-to-one margins.

So why are "gay activists" pressing so hard on an issue that could severely damage the political Party that has served their interest so loyally for so long? Because they've wrung about all they can from the old nag and they're ready to switch mounts. They needed the Donkey to make their 40-year climb out of the valley of shame and ostracism, but now they want the Elephant for what they believe will be a triumphal march through mainstream society.

This is "gay" politics, the ultimate expression of self-interest. Disregarding the consequences for society, they demand a new moral order, one that grants them total sexual license. Marriage? Adoption? Family? Mere symbols to exploit in a cynical campaign to manipulate public opinion. Freedom of speech? Civil rights? Mere stepping stones to a place of sufficient power from which to silence and harass opponents (this has already begun with hate crimes laws and campus speech codes). Loyalty to allies? Merely a convenience.

A "conservative" faction of the "gay" movement exists within the Republican Party. It includes a grassroots activist group, The Log Cabin Republicans, and a lesser known "gay/straight alliance" of political insiders who call themselves the Republican Unity Coalition (RUC). RUC is headed by homosexual Charles Francis, brother of President Bush's former campaign finance chairman, Jim Francis. RUC's advisory board includes former President Gerald Ford, David Rockerfeller, and Congressman Jim Kolbe. Its social functions have featured close Bush allies such as Mayor Richard Riordan and Lynn Cheney, wife of the vice president. RUC's mission is "to make sexual orientation a 'non-issue' within the Republican Party" (see *www.republicanunity.com).*

So how will the RUC and its allies make sexual orientation a non-issue? How will the homosexual movement try to take-over the GOP? By steering the GOP toward a "pragmatic" compromise between Democrats and social conservatives on the "gay marriage" issue. This lopsided compromise would consist of Republican support for civil unions (and everything else that falls short of marriage: hate crime and domestic-partnership laws and anti-discrimination policies based on sexual orientation).

Watch for the following scenario during the upcoming elections: liberals charging any Republican politician who stands up for marriage with "homophobia" – countered by that politician's advocacy of some other type of benefit for "gays" as proof of his or her good-heartedness – followed by a defense by conservatives of the compromising politician. It's the "gays" perfecting the old Marxist waltz: two steps forward, one step back.

The dominoes are already starting to fall. For example, Matt Daniels, spokesman for one version of the Federal Marriage Amendment now being touted in Republican circles as the final answer to "gay marriage," appeared recently in a debate on C-Span, saying "We want to make it absolutely explicit we don't want to overturn democratically-created civil unions." Far worse, President Bush himself, in his February 24, 2004, speech endorsing a constitutional amendment to preserve marriage, left open the door to state-established civil unions.

The left and the right are being "played" by the "gays," but we'll all be losers if they succeed in winning wide support for civil unions. Preservation of marriage, at the cost of granting social approval to homosexual conduct is no victory at all.

Conservatives should not settle for another net loss of ground on the homosexual issue. Now that the public is finally awakening to this threat, let's try to move the ball back down the field and reverse, not simply slow, the pro-"gay" trend of the past few decades. In short, its time to get off defense, and put our offensive team on the field.

The issue is the family

A rejoinder: the homosexual movement is not using but being used. It is not strong; it is weak.

John Kurzweil

My view of the marriage controversy differs from Mr. Lively's when he writes of the "homosexual issue." I say the issue is the family, which is the positive good involved, and which, consequently, is the target of the

John Kurzweil is editor of California Political Review.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

left. To the extent that politically radical homosexuals constitute a movement with its own purposes independent of and not subservient to the purposes of the political Parties and of the liberal/left establishment, *they* are the ones being "played." The left "plays," or uses, people in all of its endeavors: minorities and women, for instance, are "played" by white, male, left-wing hypocrites like Ted Kennedy and Bill Clinton as cover for their pursuit of unfettered power. The left uses these people, their power bases, and the real or apparent appeal of their "causes" as battering rams to deploy against America's free institutions. But when those institutions are knocked flat, the leftist lion turns 'round on its trusting masses and herds them onto the liberal plantation.

If this sounds like quibbling over mere emphasis rather than substance, consider that Ronald Reagan's key insight, shared by too few conservatives, was to see as early as the 1940s that communism, for all its bluster and destructiveness, was neither strong nor a sign of strength. Its very reliance on lies betrayed it as a refuge of the weak. Reagan knew it could not compete with the free institutions and peoples of the West if they were mobilized, and he fought throughout his public life to mobilize them. He was vindicated by communism's collapse. The West did not over-run the Soviet Empire with a conquering army; we did that to the Nazis, and succeeded, for half of Europe, only in exchanging one tyranny for another. The Soviet Empire was demolished because, next to Reagan's and America's embrace of vibrant Western free civilization, communism's irrelevance was too palpable for the delusion to hold.

As I read it, Mr. Lively's argument implies that our objective is to push the homosexual movement back down the playing field. Like Mr. Reagan, I answer that we will not *defeat* homosexuality and the left-wing politics of which it is a part; we will *transcend* it — or, rather, the family will, as it always has. Our part is to stand firmly with the family, with marriage, and with the love that is its core reality. Do that, and we will be able to say with Reagan of this nihilist assault against marriage that it is another sad, bizarre chapter in human history whose last pages even now are being written. CPR

The Gipper & the snail

(Continued from page 15)

petrator of the event.

Flash forward three decades to a recent front page article in *The Wall Street Journal* with news of amazing changes in snaildom. It told the story of a Minnesota kindergarten teacher who for eight years had been leading her young charges in hands-on scientific observation using *Helix aspersa.* The kids watched the snails eat, saw their hearts beating (with a light) and observed their defecations in various colors, depending upon what the snails had eaten.

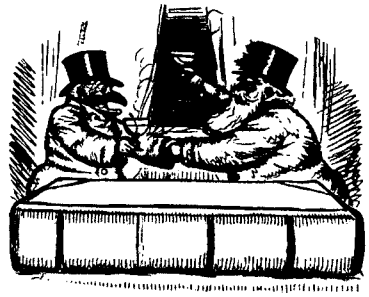
It seems that curriculum writers at the University of California / Berkeley got the idea of using snails in elementary school science workshops after observing them in California gardens — eating the flowers and vegetables. The curriculum the U.C. specialists developed (along with the Smithsonian Institution) had the kids comparing *Helix a.* to pond snails, watching their movements (such as seeing how many paper clips they could pull), and recording their observations in snail journals.

The U.C. folks estimate that a third of the nation's 17,000 school districts have been using their snail curriculum. Or were, until the U.S. Department of Agriculture last summer prohibited further interstate transport of *Helix aspersa.* The motive: evidence of growing *Helix* populations outside of California, presumably castoffs from school science classes. The threat of *Helix* stalking all the nation's gardens — not just California's — had already caused the USDA, three years earlier, to begin to let lapse the shipping permits it required from snail suppliers. This latest move, however, threatened to eliminate these teachers' pets altogether.

Snail-happy schools have been scrambling for substitutes while hoping for relaxation of the USDA's draconian ruling. The curriculum writers have suggested such stand-ins as aquatic apple snails, millipedes, Madagascar hissing cockroaches, Bess beetles, slugs, and even narcissus bulbs. But, as it turns out, there is nothing like a *Helix* for kindergarten fun and education.

Snail races have been one of the most a popular features of the U.C. curriculum. That day 30 years ago, we could not have imagined that Ronald Reagan's Great Snail Race would one day be repeated in thousands of school districts across the land. With snail racing, as with so much else, the Gipper was 'way ahead of his time. CPR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



CRITICUS

The Language of Nice — and N.I.C.E.

BY G.B. TENNYSON

IN *THAT HIDEOUS STRENGTH,* the final (least read, least appreciated) of C.S. Lewis's space trilogy novels, the reader is introduced to what at first seems to be an idyllic, self-contained English university called Edgestow after a town of the same name. The even tenor of life in Edgestow and specifically at Bracton College is soon to be interrupted and, as the novel unfolds, overturned by a series of events too complicated for retelling here. Suffice it to say that the story involves initially a conflict between the college traditionalists and the "Progressive Element" in the college over bringing into town, through the sale of college-owned land, a quasi-governmental organization called, with Lewisian irony, the National Institute of Co-ordinated Experiments, known as the N.I.C.E. Need one say that the one thing the N.I.C.E. is not, is nice? Once installed in Edgestow, its machinations bring turmoil and turbulence in abundance.

Among its many characteristics N.I.C.E. (as I shall term it, without the article) is marked by the manipulation of information and indeed of language and ultimately of society itself. Lewis's prescience in depicting this dimension of creeping totalitarianism (his book preceded *Animal Farm* by two years and *1984* by five) is a mark of his genius that still speaks to us. For what N.I.C.E. seeks to do to language and society is frighteningly close to what political correctness today is seeking to do. If that seems hyperbolic, let me modulate it only by saying that, like many caught up in the work of N.I.C.E., many today are ignorant of, or oblivious to, the ultimate purpose and consequences of the political correctness they embrace. In short, now as then, there are always useful idiots walking about, most of them members of the chattering classes.

As a result of all the chatter, we have become so accustomed in the past two decades and more to the term *politically correct* and its derivatives, such as *political correctness* and *politically incorrect* and the now ubiquitous shorthand term *PC,* that we have forgotten the origin of these expressions. Some of us perhaps have never even known the origin. At the risk of insulting the deep learning of the readers of this journal, I offer a little history.

THE TERM *politically correct* originated in the American Communist Party of the 1930s. It was used to maintain the party line among the faithful, to insure that a loyal communist did not come down on the wrong side.

G.B. Tennyson is CPR's *language policeman (banned word) who is regularly engaged in manfully (banned word) combatting political correctness wherever he finds it.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Thus it was PC to detest Naziism until the Hitler–Stalin pact made such a view politically incorrect, and communists began liking the Führer. Then, with the Nazi attack on the Soviet Union, it became PC again to hate Naziism. PC also had for insiders the added attraction of being the reverse of the widely used shorthand CP for the Communist Party, also often referred to as CP-USA.

Lewis's prescience in depicting this dimension of creeping totalitarianism (*That Hideous Strength* preceded *Animal Farm* by two years and *1984* by five) is a mark of his genius.

Just as the CP-USA gradually faded until it became a spectre of a real party (though not without having done enormous damage along the way), so its in-house disciplinary term fell into disuse. It was revived again in English translations of Chairman Mao's *Little Red Book* in the late 1960s, but it is far from clear that it caught on again because of that. Some liberal commentators want to argue that it was radical right-wing activists who started using the term, first, to indicate approved language for conservatives, and then to demonize liberal ideas. Criticus could find no citations to support such a view.

The citations Criticus did easily find all point to a left-liberal use of the term in the way we know it today, and virtually all of these date from the 1970s and 1980s. Thus the *New York Times* in 1973 could write of "the politically correct and responsible thing to do," and the *Washington Post* in 1977 could write "The African Liberation Day Coalition explained to the interested that both the other groups held politically incorrect positions." And in 1979 the *Post* opined, "no matter what criticisms are hurled at this feminist fiction, no doubt the author will be cushioned by her political correctness." By the 1980s there was no stopping the term, and there was no notion that it was in any way right wing. The left, after all, is the natural inheritor of the ideology of CP-USA.

By the 1980s the PC terms had also broadened out from being specifically political to being broadly social and cultural as well. That is where we find them today. If anything, the whole business has become worse, for it has spread to all language use and to intellectual endeavor in general. The quest for political correctness in language and thought has become so obsessive that it could properly be termed a crusade. A telling examination of a central dimension of this state of affairs came recently from a veteran specialist in the study of American education. I refer to Diane Ravitch's *The Language Police: How Pressure Groups Restrict What Students Learn.* It's worth a look-in by anyone interested in this subject.

Ravitch's book is not narrowly about political correctness but more broadly about intellectual censorship of ideas and expressions in education. She tries to be even-handed by showing that pressure regarding what may appear in school textbooks comes from both the right and the left. Probably for this reason her book has received wide coverage, including prominent reviews in the liberal mainstream press. No doubt Criticus is biased, but to his eyes the worst and more numerous offenders are on the left. True, right-wing groups have sometimes made fools of themselves in calling for the removal of parts or all of various literary classics from Chaucer to Dickens to F. Scott Fitzgerald and for protesting certain ideas and activities depicted in books, such as magic, fantasy, fairy tales, and of course that old bugaboo evolution (I'll drink to that one). But it has been the left that has been the more zealous and the more successful in not merely suppressing this or that book from the curriculum or the school library but in controlling the content of textbooks themselves. It is the left that has largely dictated to publishers before the fact what ideas, stories, and above all words may appear in textbooks. What children in public schools are now allowed to read has been in the grip of the left for the past generation.

It has been a deadly grip, if not indeed a death grip. Read Ravitch for the details but consult especially her brilliant Appendix I, "A Glossary of Banned Words, Usages, Stereotypes, and Topics." This runs to more than 30 pages and is especially informative for provid-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing the approved alternatives for the banned words and terms. It would be comic were it not so serious, and even then humor keeps breaking through. Here are a few examples, some of them slightly condensed or gathered together by Criticus for reasons of space, and all interspersed with Critical comments. Adam and Eve — replace with Eve and Adam to demonstrate that males do not take priority over females. Actress — sexist, replace with actor. (Tell that to the Academy Awards.) Virtually any word with "man" in it, such as "foreman," "freshman," "postman," "policeman," "repairman," "serviceman," "spokesman," "statesman," should have "man" replaced with "person." This practice reminds Criticus that years ago when this sort of nonsense was just beginning to invade academia he took to calling a friendly colleague whose surname was Freeman "Dr. Freeperson." Dr. Freeman thought it amusing; most everyone else did not. Criticus also began referring to "manhole covers" as "personhole covers," and to the James M. Cain's novel and the motion picture based on it as *The Postperson Always Rings Twice.* This too failed to entertain most of my colleagues. But then Criticus realized that "son" was itself sexist, so he revised his nomenclature to refer to Dr. Freebeing and to "beinghole covers," and to the "postbeing" ringing twice. No need to elaborate on how all this went down.

The term *politically correct* originated in the American Communist Party of the 1930s. It was used to maintain the party line among the faithful.

SOPHOMORIC CRITICAL humor aside, the 30 pages of forbidden, and also approved, words, terms, and topics illustrate the thrust of all this linguistic political correctness. The party line, so to speak, on these lists is that they are designed to be nice, to soothe the sensibilities of certain oppressed groups, especially racial minorities and persons with various handicaps (a forbidden word, according to the list). It is the high-minded image of compassion and benevolence that attracts so many to the PC cause. Considerate people do not want willingly to give offense, so one can see the lists of prohibitions and exhortations as a kind of modern day etiquette manual, much as the Victorians instructed refined young ladies not to use the suggestive word *leg* but to substitute *limb.*

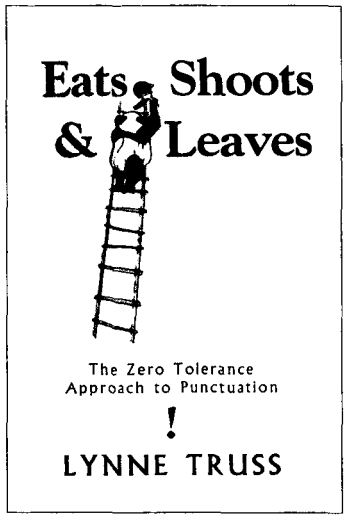
But underneath the velvet glove there is the iron fist. These lists of politically correct language imposed on writers, publishers, and students aim at more than kindness. They are designed to shape the thinking, the attitudes, the philosophy, and the worldview of all who are subjected to them, which is to say, the coming generations and to shape those generations in a leftward, secular direction. In other words, behind the language of Nice lies the language of N.I.C.E. These lists remind one of the workers in *1984* who are charged with removing politically incorrect words from the dictionary and of the actual practice in the Soviet Union of excising from the Soviet Encyclopedia names and biographies of persons who had offended the authorities. If further illustration be needed, consider that the one word in Ravitch's extensive list of banned words that has no substitute offered for it but is simply banned is — God.

Perhaps saying that this policing is designed for coming generations is to be too, shall we say, conservative. The ideas advanced by the language police have already come into active play. Scarcely a day goes by but there is a report of some infringement of the new language dispensation and the measures taken to punish it. A recent favorite of mine is the case of a British television presenter with the engaging name of Robert Kilroy-Silk. He has been for 17 years the host of a BBC daytime television show called simply "Kilroy." He wrote a newspaper piece titled "We Owe Arabs Nothing" in which he called Arabs "suicide bombers, limb amputators, women repressors," all of which sounds like mere reportage to this reader. The Muslim Council of Great Britain protested; the Commission for Racial Equality referred the matter to the police; the BBC dissociated itself from Kilroy's views, began an investigation, and took his program off the air.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This was in January. I do not know whether he has been reinstated, but if so, it would surely have been only after an abject and groveling apology. Otherwise, Kilroy *was* here but is no longer.

To be sure, all societies have had their disapproved or even forbidden areas of both speech and conduct. Muslim countries are especially ruthless in this regard, but we need to remember also, for an example from the West, that bowdlerizing a text comes from the work of the Rev. Thomas Bowdler in the early nineteenth century. The good cleric went through the text of Shakespeare's plays and took out the naughty bits to make them safe for family reading and thereby helped to usher in the succeeding era of Victorian prudery. Much later in that same era, however, Joseph Conrad could write a novel and title it *The Nigger of the 'Narcissus'* without upsetting anyone, and it is only in current times that schools have banned *Huckleberry Finn* because a highly sympathetic character is called "Nigger Jim." But in Criticus's view the current language correctness is not just a case of *autres temps, autres moeurs;* it is a case of aggressive, radical indoctrination made all the more alarming because, unlike most previous censorships, book burnings, and state-controlled media, this language movement operates mostly behind the scenes and without wide public knowledge. If ever there was a case for school vouchers, the language police are illustrating it in spite of themselves.



The brighter side is that in the very country hounding Kilroy-Silk there is an entertaining debate about a recent best-selling book titled *Eats, Shoots & Leaves.*

All of this makes for rather dispiriting reading on the language front. But hold. There are some brighter, or at least lighter, signs. These concern a kind of modest revival of interest in correct grammar and punctuation, matters long abandoned by the public schools in their relentless K through 12 advocacy of student self-esteem, as evidenced by the following: some schools in Tennessee no longer publish honor rolls or lists of winners of spelling bees and the like, as these things hurt the feelings of those who did not make the grade; some schools elsewhere have abandoned salutatorians and valedictorians as these are based on grades; and some have even moved to a system of voting on who will serve in these capacities, which makes them popularity contests. I have in an earlier column already spoken of the high school (oddly a parochial one) that lists the members of the graduating class by height of all things. But I digress and must needs return to the brighter side.

The brighter side is that in the very country that is hounding poor Kilroy-Silk there is an entertaining debate going on about a recent best-selling book titled *Eats, Shoots & Leaves* by one Lynne Truss (where do they get these names?) It is nothing less than an excursus on the subject of correct punctuation. The title comes from a joke in which a panda goes into a restaurant, orders a sandwich, eats it, then draws a gun and fires two shots in the air. When the waiter asks why, the panda hands him a wildlife manual and says, "I'm a panda. Look it up." The waiter does, and the definition reads: "Large black-and-white bear-like mammal, native to China. Eats, shoots and leaves."

From that comma blunder Ms. Truss, a novelist, book reviewer, and television personality, goes on the attack about the state of punctuation in contemporary writing. Truss's two greatest bugaboos are the apostrophe and the comma. The former has been for quite some time in what looks to be terminal decline; the latter is not far behind. When college students even in the University of California system are incapable of distinguishing between *it's* and *its,* and when they either strew commas about like confetti or eschew them entirely, one fears that the end is near for these venerable marks of punctuation. Criticus would add to the list of declining language skills one that does not come under Truss's purview. That is the gradual disappearance of cursive script, or what the British call hooked-up writing, or quite simply handwriting. Criticus has seen college graduates

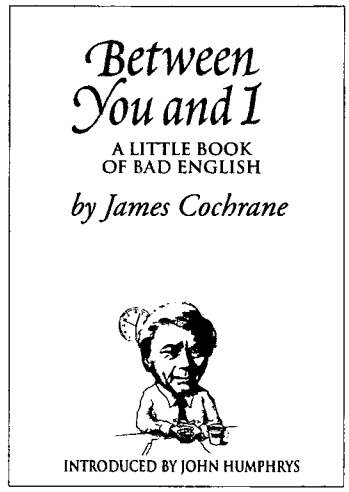
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

still penning notes in babyish block letters. Throw out the computers, I say, and bring back classes in penmanship. And for that matter in elocution, but that's a story for another column.

APART FROM the encouraging sign of interest in the non-PC subject of punctuation, Lynne Truss's book stirred up an interest in proper language use. An article by another charmingly named person — one Benedict le Vay — appeared in the *Spectator* taking Truss to task for what le Vay saw as her misuses of language. His charges had little to do with punctuation but much to do with word use and word placement. Those charges provoked in turn letters to the editor (printed under the heading "Oy Vay!") taking issue with le Vay's taking issue with Truss and calling him a "mock pedant." Space prevents Criticus from rehearsing all the points in dispute and thus from having to take sides. What pleases Criticus is that there can still be such interest in these matters.

There was a time when books about language use were widely considered authoritative, when one could confidently say, "Check it in *Fowler,"* and be immediately understood. Happily, Fowler has been updated by the eminent lexicographer and language specialist Robert Burchfield as *The New Fowler's Modern English Usage.* In the past there was an American adaptation of Fowler, Margaret Nicholson's *American English Usage.* There are still numerous books on usage being produced, but I fear they are thought politically incorrect, for one hears little of them in the mainstream media. After all they stigmatize those who misuse language or use sub-standard language (this latter appears in Ravitch's list of forbidden terms), thus casting them in an unfavorable light. They breed distinctions based on learning, even on class. And so on.

Again, however, there's the occasional silver lining. Along with the work of punctuation maven (a banned word) Truss, we can enjoy a recent manual also titled after a common grammatical gaffe. It is James Cochrane's *Between You and I: A Little Book of Bad English.* One delight of this book is that it consists entirely of an alphabetical listing of words and phrases that are commonly misused or confounded with one another. Therefore one can open it at random and read an entry or two (*e.g.,* "flout and flaunt," "imply, infer") and come away smugly satisfied that one does not confuse the two, or, in rare cases, come away with the embarrassed realization that one has occasionally used a word incorrectly (Criticus once in this journal used "media" as a singular!). It's a fine bathroom book.



This book consists entirely of an alphabetical listing of words and phrases commonly misused or confounded with one another.

Yet, after these rays of sunshine, one still feels that the Ravitch's language police are winning, that the language of Nice is in the ascendant and that it will in due course become the language of N.I.C.E. If so, we may have to rely on the grace of God and the intervention of the supernatural to overturn it.

Close to the end of *That Hideous Strength,* Lewis depicts the consequence of what has been going on by treating us to a banquet at N.I.C.E. headquarters, which quite beyond the matter of language has been the scene of vile medical experiments and the like. The after-dinner speech by the Director begins unremarkably but gradually turns into gibberish as he utters such statements as "The madrigore of verjuice must be talthibianised" and "the surrogates esemplanted in a continual of porous variations," and "we shall not till we can secure the erebation of all prostundiary initems."

THE ASSEMBLED are staring in disbelief; a woman at one of the tables breaks out in a falsetto laugh, so the Deputy Director forces the Director to his seat and takes over. Thinking he is speaking intelligibly, he says instead: "Tidies and fugleman — I sheel foor that we all — er — most steeply rebut the defensible, though, I trust, lavatory, Aspasia which gleams to have selected our redeemed inspector this deceiving. It would — ah — be shark,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

very shark, from anyone's debenture ..."

By now the entire company is speaking gibberish and becoming unruly. A shot rings out, the assembled begin screaming and shouting in unintelligible words as they scramble to get out, but the sadistic female chief of security has locked the door, so the entire scene turns into a kind of insane rugby scrum. A tiger bursts snarling into the room, other fearsome animals appear, the security chief is shot dead, and chaos is come again as both the animals and the people fall upon one another and a huge elephantine creature crashes in and tramples everything in sight until the room is strewn with dead bodies. We now understand what Lewis meant on the title page of the novel when he chose as epigraph "The shadow of that hyddeous strength sax miles and more it is of length," which he took from Sir David Lyndsay's *Ane Dialog,* describing the Tower of Babel. It is what happens when the language of Nice is revealed as the language of N.I.C.E. CPR

BOOKS

A hero of America's resurgence

Bill Simon Sr., author of A Time for Truth *and key figure in several presidencies, was a central figure in the Reagan Revolution.*

BY JOHN KURZWEIL

DURING HIS remarkable lifetime, William E. Simon (father of recent Republican gubernatorial candidate William E. Simon, Jr.) inspired and informed several presidents, serving as Treasury Secretary under two of them; was president of the U.S. Olympic Committee; set Wall Street on fire with his bold, innovative, profit-making investing; became a best-selling, highly influential author; was a generous, sometimes seemingly ubiquitous, philanthropist; and a devout Catholic. During the Nixon presidency, Simon helped steer the nation through the beginnings of America's often difficult dealings with the Organization of Petroleum Exporting Countries (OPEC) as the nation's first "Energy Czar." He should, for my money, have been Ronald Reagan's 1980 running mate — had he been that, I believe he would have served two terms as president, the nation would have had 16 years to absorb fully Reagan's (and Simon's) free market, limited government conservative philosophy, we might have been spared entirely the Clinton presidency, or, if not, have been spared it at least until 1996, when the American economy, political culture, judiciary, and people would have been much stronger, the better to withstand the depredations of the perverse former governor from Arkansas.

John Kurzweil is editor of California Political Review.

A Time for Reflection

an autobiography,
by William E. Simon,
with John M. Caher

Regnery Publishing, Inc.,
Washington, D.C., 2004,
352 pages, $27.95, cloth.

Until I read this book, written in Simon's later years and now published after his June 2000 death, I had forgotten just how central and influential Bill Simon had been during the crucial decade of the 1970s in preparing the nation for the Reagan Revolution. His 1978 book, *A Time for Truth,* articulated clearly and persuasively the genius of economic freedom with its ability to create vast wealth for all people. Although the book, before publication, was expected to reach no more than a small number of individuals especially interested in economics and politics (its publisher, *Reader's Digest,* predicted total sales of 5,000 copies), it rocketed onto the *New York Times* best-seller list, remaining there 20 weeks. *A Time for Truth* was, among much else, a recipe for Republican resurgence after Jimmy Carter's election as president.

> What the GOP needed [Simon writes], in my opinion, was the courage of its convictions, a renewed belief in the fundamental truths of liberty that the party of Abraham Lincoln embodies,

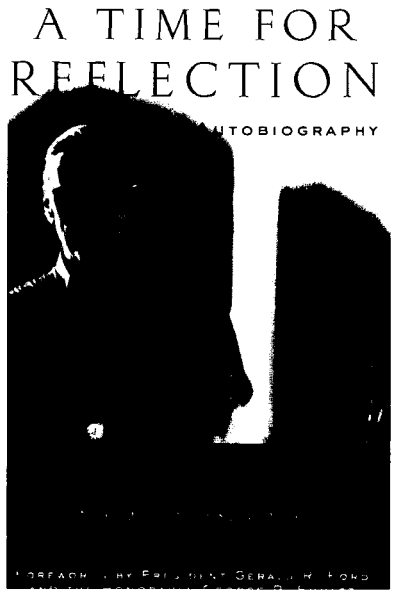
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

along with the guts and vision to take the truth to the people. We could succeed only if we acted as statesmen, rather than politicians, if we built and expounded a platform of programs instead of platitudes, and offered serious ideas and practical policies based on common sense and common decency.

Liberals, of course, panned the book, as Simon expected them to do. They like diversity, as long as all points of view are sufficiently liberal. "Much more unsettling and disappointing," Simon writes, "was the general reaction of the business community."

> Perhaps like me before my Washington experience, some business leaders were too preoccupied with their immediate concerns to pay much attention to the intellectual assault on everything that makes their freedom and prosperity possible. Others, however, simply did not have the stomach to fight for it. Many, sadly, had lost their faith and hope in the competitive free-enterprise system. In the face of an enemy assault, they were willing simply to capitulate. They yearned to be accepted as "socially responsible" and feared they would be labeled "insensitive" or "conservative." I was appalled and felt betrayed by those who should have been my philosophical brethren.

How little things change. Simon was more pleasantly surprised (as too, presumably, was *Reader's Digest)* by the reaction the book generated among ordinary Americans. "There emerged an enormous groundswell of support from an aroused citizenry," Simon writes, "common folks who saw what was happening to their country. I received mountains of letters from concerned Americans, who understood a great deal more than their alleged leaders, in politics and business, could have ever imagined." This of course was the rich vein of pro-American, pro-



freedom normalcy that elected and re-elected Reagan by landslide margins, and would have continued to elect Republican presidents had GOP nominees not detoured into "kinder, gentler" (*i.e.,* "socially responsible" and fearful of being labeled "insensitive") humbug.

WHAT I *did* remember most clearly about Bill Simon, before reading the book, was his leadership in convincing American Olympians to support and honor President Carter's boycott of the 1980 Moscow Olympics. At the time, and still today, I saw this as an example of exactly the statesmanship Simon advocated for Republicans. In the face of the Soviet Union's barbarous rape of Afghanistan, the United States, even though led by a generally "dovish" Democrat president, showed the backbone to refuse participation in the farcical Moscow "games." Perhaps strangely, this is the one point in the book where I found myself in serious disagreement with its author.

"I can think of only one major issue on which I supported President Carter," Simon writes, "— the boycott of the 1980 Olympics — and I regret it to this day." Simon saw the Olympics as a powerful showcase for international cooperation and shared interest in peace and the good of humanity — for the best that people can be, and that the games, therefore, should not be stopped or sidetracked by the evil that men and governments do. The terrorist murder of Israeli athletes in the 1972 Munich games, for example, could not become a reason to cancel or alter the nature of the Olympics without signaling the terrorists that they were stronger than the good the games, at their best, embody. So far, so good. But I disagree that this principle applies even when the terrorists have taken overall control of the games themselves. At that point, carrying forward as if everything was normal represents another kind of victory for evil. The Hitler-orchestrated 1936 Berlin games, even Simon admits, were an enormous propaganda victory for the Nazis. An American-supported Moscow Olympiad in 1980 would, I believe, have been a similar triumph for communism, and for the same reasons.

"My natural inclination," Simon writes, "of course, was to resist government/political interference in the Olympics." But an Olympiad controlled and manipulated by the Soviet Politburo would precisely be an Olympiad stripped of its honor and reduced to political purposes. The American boycott kept that from happening. As Simon writes:

> Sixty-one nations joined the American-led boycott, leaving Moscow with the lowest number of participating nations, eighty-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

one, since the Helsinki Games of 1952. The Soviet Union's attempt to use the event as a showcase for communism failed miserably. The 1980 Games were pockmarked by scandal: Hometown officials opened stadium gates during the Soviet javelin thrower's performance, allowing a favorable breeze and ensuring a gold medal. An obviously legal triple jump by an Australian was disallowed. A Cuban was cheated out of a medal in the discus when Russian judges marked his throw a meter short. By hook or by crook, the USSR won more medals in Moscow, 195, than any country in seventy-six years, but the world knew that it had been a fiasco.

INDEED THE world knew it, because, deprived of the cover of international respectability that U.S. participation would have afforded, these silly "games" had to stand on their own — which is just what they did, showcasing communism clearly for the pathetic repudiation of everything humanly honorable and inspiring that it is. "Still," Simon concluded, "I came to view the boycott as a dreadful mistake." It hurt the Olympic movement, deprived athletes who'd worked for years of their chance to compete on the ultimate stage, and "most importantly, it had no effect on Soviet aggression in Afghanistan." I respectfully disagree. It is impossible to say what might have transpired had the Evil Empire pulled a Berlin-games-style successful coup in Moscow in 1980. What we do know is that the world increasingly saw the Soviets as the center of evil that Reagan later said they were and that the Afghan war played a critical role in weakening the communists' hold on power in Russia.

On the other side, America's show of resolve (the boycott, by the way, was widely popular with the American people) helped solidify the U.S. backbone for the coming restoration of American active participation in world affairs during the Reagan years. Remember: this was the late 1970s, when our national morale was still reeling from the victory of barbarism in Vietnam and the possibility of American intervention anywhere in the world in support of freedom had become nearly unthinkable. Tiny moves under Reagan such as the military invasion of Granada to save U.S. students were, when they occurred, key baby steps in the cure that would slowly free us from the "national malaise," to borrow Carter's phrase, created by Vietnam. They led directly to U.S. refusal to be bullied out of defending Europe with cruise missiles, to the collapse of the Soviet Empire, and to the full restoration of American world leadership in Kuwait and Iraq. This national recovery of strength received a crucial push from the 1980 Olympic boycott. Though he considered it a mistake, I thank and honor Bill Simon for his leadership in this as much as for anything he did.

Simon's *A Time for Truth* articulated clearly and persuasively the genius of economic freedom .... it rocketed onto the *New York Times* best-seller list, remaining there 20 weeks.

For all his vast competence, wisdom, and serious constructive work in his many public and private endeavors, Simon always retained a youthful exuberance for fun and for life itself. In August of 1994, Simon led a triumphant voyage through the Northwest Passage: something never done before, sailing through the Arctic wasteland — a maze of some 18,000 islands and waters jammed with ice and dangers that had doomed every earlier such attempted voyage — from the Pacific to the Atlantic. He passed his sense of fun on to his children, evidently, judging from an incident the book recounts in which Simon took his family along on a trip to the Middle East. Invited to the Saudi oil minister's home, he warned his children not to "compliment any of the minister's personal possessions" because Saudi hospitality dictated that the thing praised be given as a gift to the guest. As soon as they arrived, Bill Jr. said "'Gee, we sure love your camel!' .... It took two days, considerable effort, and some deft diplomacy to convince the oil minister that it just wouldn't be appropriate for a member of the United States government to accept such a generous gift as a camel."

For students of the late-20th century resurgence of American strength and will, or for anyone who just likes a good, rousing life story, I recommend William E. Simon's last major project: *A Time for Reflection.* CPR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BOOKS

Hiram Johnson

A Statesman For California And America!

BY CARL OLSON

HIRAM JOHNSON is a familiar California political name, but the full extent of his exceptional statesmanship across America should receive wider attention. The constitutional public protections of initiative, referendum, and recall owe their enactment to Governor Johnson and his colleagues in 1911. (Most states still don't have all three.) These have proven invaluable many times, most recently in the Gray Davis recall and the referendum campaign to overturn the illegal alien drivers' license bill (SB 60) that resulted in its repeal.

Born in Sacramento in 1866, Johnson learned politics and law from his father, Grove L. Johnson, a politician with a speckled history in both the Democrat and Republican Parties. He graduated valedictorian of his grammar and high schools, displaying great abilities to recite lengthy poems with gusto. He passed the bar in 1888, practiced law with his father and brother, managed his father's successful 1894 election campaign to the U.S. House of Representatives, and moved to San Francisco in 1902.

A series of remarkable courtroom successes led San Francisco District Attorney William H. Langdon in 1907 to appoint Johnson to the team prosecuting San Francisco Mayor Eugene E. Schmitz and political boss Abraham Ruef for corruption and graft in reconstruction contracts from the 1906 earthquake. Both were convicted.

In 1910, Johnson joined several members of the Republican Party's Lincoln-Roosevelt League as part of a slate of candidates for governor and the Legislature. Johnson took special aim at the immensely wealthy Southern Pacific Railroad which had dominated state politics since 1880. His nomination acceptance speech summed up his themes: "So I am going ahead making the fight as a progressive Republican on the Roosevelt lines. I am going to make this fight in an endeavor to return the government of California to the people and take it away from the political bureau of the Southern Pacific Company. If nothing else is accomplished, we can teach the people the lesson talked by our last president [Roosevelt] and that is being talked today to the people of the United States by [Wisconsin U. S. Senator Robert] LaFollette." Following a hard-fought campaign with 800 stump speeches and 8000 miles traveled criss-crossing the state by car, Johnson and his slate won both the governorship and a majority in the Legislature.

True to their word, these "progressive Republicans" proposed constitutional amendments to create the initiative, referendum, and recall (including judges), urging the public to enact them in an October 1911 special election. The Johnson-led reformers also established the state's civil service and worker's compensation systems and nonpartisan judicial elections.

JOHNSON'S SUCCESSES inspired popular enthusiasm across the country. Theodore Roosevelt, whose 1901-1909 presidency had helped define Johnson's reform movement, tried a comeback in the 1912 presidential primary elections against President William Howard Taft. With Johnson's support, Roosevelt won nine of the eleven northern and western states that then held direct primaries, including Taft's own Ohio. But when Party bosses controlling the national convention gave the nomination to Taft, Roosevelt and Johnson led a walkout of the Party's "progressive" elements. They formed the National Progressive Party (nicknamed the Bull Moose Party by the press) and Johnson be-

Carl Olson is chairman of State Department Watch, a Washington, D. C.,-based nonpartisan foreign policy watchdog group. (www.statedepartmentwatch.org — West Coast Office: Woodland Hills)

Hiram Johnson Political Revivalist

by Michael A. Weatherson and Hal W. Bochin

University Press of America, Lanham, Maryland, 1995, 246 pages, cloth.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

came Roosevelt's vice presidential running mate. Roosevelt/Johnson received 27 percent of the popular vote to Taft's 23 percent. Woodrow Wilson was elected with a 42 percent plurality.

Back in California, Johnson handily won re-election as governor in 1914 on the Progressive Party ticket. In 1916 he rejoined the Republican Party and won election to the U. S. Senate with a margin of 300,000 votes on the theme of a struggle "between property and folks — just common folks." He advocated a national women's suffrage amendment, a protective tariff, protection for agriculture, child labor laws, and military preparedness. His message and integrity won him repeated re-election to the Senate by wide margins. He died in office in 1945.

Johnson's first Senate vote in March 1917 was to declare war against Germany. However, he soon became disillusioned, criticizing the fighting as merely generating profits for industry and territory for foreign nations while offering the American people no major benefit. After the 1918 Armistice, Wilson's personal, secret League of Nations treaty negotiations rankled many, including Johnson. Wilson refused to include the Senate in his negotiations, withholding even the text of the treaty until he returned from Europe in July 1919. Johnson argued persuasively against the League.

> In a word, Mr. President, this league means that American boys shall police the world; that all the tottering nations of the earth shall be upheld by our blood and our bone; that Europe, Asia, and Africa may draw upon us in every dispute and quarrel; that our Nation will be at the mercy of European and Japanese diplomats who never had and never will have any sympathy for our aspirations or our ideals; that we with our glorious past shall guarantee the territorial integrity of every country on earth and the bondage of every suffering people in anguish begging for freedom; that we destroy our Monroe Doctrine and submit controversies on the

American Hemisphere to determination by foreign powers.

In August, President Wilson was so upset at the Senate's failure to approve the treaty that he started a national speaking tour. Senate opponents tasked Johnson to conduct a parallel speaking tour through 19 states, pointing out what they considered Wilson's many misstatements. As a tribute to Johnson's oratory and message, his crowds often outnumbered Wilson's. In Chicago 15,000 tried to jam into the Auditorium Theater to hear Johnson. Wilson, suffering from medical problems, gave up his tour in October. The Treaty was finally defeated in a November vote in the Senate.

As senator, Johnson achieved the establishment of Boulder Dam bringing water and electricity to California, the defeat of President Franklin Roosevelt's Court-packing scheme, and the 1935 rejection of U.S. involvement in the World Court. The Johnson Act, passed in 1934, prevents foreign governments in default to the U.S. Treasury from borrowing funds in the United States. To this day, only one Johnson Act exception has been allowed, when President George Bush, in 1990, successively sponsored the Freedom Support Act exempting the countries of the former Soviet Union (who were, and still are, in default to the U.S. Treasury in the billions of dollars).

Johnson, who became the Senate Foreign Relations Committee's ranking member, generally favored the "America First" policy, supporting neutrality overseas including opposition to Lend-Lease through most of 1941. However, after Pearl Harbor, he voted for a U.S. declaration of war.

Again, at the end of the war, casting his final vote before he died in July 1945, his desire that the United States determine its own future led him to vote against the United Nations Charter.

Johnson provided a fitting summation of the passion and ideas that guided his long public life in a 1922 Senate campaign speech to 8,500 at the Los Angeles Philharmonic Auditorium. He targeted the *Los Angeles Times* as a servant of the forces he had so long opposed: "Blatant in their indecency, flagrant in their audacity for every existing wrong, ruthless in the mendacity against every man and woman seeking reform, denouncing, abusing, reviling the good people of the state who were determined to have not only a moral but a just commonwealth, ever stood Harry Chandler and the *Los Angeles Times,* and with them were those whom they could cajole or frighten; the timid and the weak, the vicious and the wicked, whom they ever drove this way and that with the threat of newspaper ridicule and abuse."

We could use more of that sort of statesmanship today. CPR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Missing something?

— in the major media's political coverage

Perhaps it's time to try the
NEW *CPR Online*
at:

www.cppf.us

California's alternative source for state political news and opinion.

Timely — Quick Reading — Politically Incorrect

Breaking News — Biting Commentary
featuring
William E. Saracino
Ray Haynes
John Kurzweil
and much more

CPR Online

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Monaco Group

Campaign and Fund-raising Direct Mail and Print Production Services

Printing • Personalization • Mailing
Graphic Design • Collateral Materials
Promotional Items • Data Services

INCLUDING

Absentee Ballots • Slate & Initiative Mailings
Campaign & Fund-raising Mailings
Self Mailer & Walk Pieces
Statewide Voter Files

The Monaco Group

1000 Ortega Way • Building C • Placentia, CA 92870
Tel: 714 630-5180 • Fax: 714 630-5187
www.monacogroup.com • e-mail

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED